

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**INTERIM APPLICATION NO.3417 OF 2026**  
**IN**  
**COMMERICAL APPEAL FROM ORDER NO. 10 OF 2026**  
**IN**  
**EXHIBIT NO.20 IN COMMERCIAL SUIT NO.5 OF 2025**

Maharashtra State Road Development Corporation  
Limited Thr. Its Authorise Representative ...Applicant

**In the matter between**

Maharashtra State Road Development Corporation  
Limited Thr. Its Authorise Representative ...Appellant

***Versus***

Expressway Truck Terminus Private Limited ...Respondent

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Mr. Fredun De Vitre, Senior Counsel a/w Ms. Shreya Jha a/w Mr. Arun Siwach, Ms. Priyanka Mitra and Ms. Vidhi Saxena i/b. Cyril Amarchand Mangaldas for the Appellant.

Mr. Shriram S. Kulkarni a/w Kishor P. Vig, Monish K. Vig, Swapnil Mhatre for Respondent No.1.

Mr. Chirag Mody a/w Chetan Shah, Sandhya Yadav i/b. Ashok Purohit & Co. for Respondent No.2.

Ms. Neeta Jain a/w Ashwin Bhadang i/b. Akshay Pawar for the Applicant.

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**CORAM : R. I. CHAGLA AND  
ADVAIT M. SETHNA, JJ.**

**DATED : 7 MAY, 2026**

**P.C.:-**

1. By this Interim Application, the Applicant is seeking stay as the operation and execution of the Impugned Order dated 21 April 2026 passed by the learned District Judge below Exhibit 20 in Commercial Suit No.5 of 2025 and in particular in clause (iii) to the operative order directing Respondent No.2 to reinstate the retail outlet and permit Novel Fuel Station

to vend fuel.

2. Given paucity of time, Mr. Kulkarni, learned counsel appearing for the Respondent No.1 fairly states that in paragraph (iii) of the operative part of the order, the seven days period within which the plaintiff is to instruct Indian Oil Corporation Limited, in writing to reinstate the retail outlet/fuel supply at the site as per Concession Agreement dated 3 November 2014, as prevailed prior to the COCO arrangement and further to permit Novel Fuel Station to vend fuel as per the dealership agreement, dated 16 March 2018, may be extended till the next date.

3. Considering this statement, we direct that clause (iii) of the operative order shall not be given effect to till the next date.

4. We make it clear that we have not gone into the merits of the Commercial Appeal from Order and Commercial Suit and all rights and contentions of the parties are kept open, particularly in regard to the revocation of the NOC issued by the plaintiff which has been stayed till the decision of the suit.

5. Commercial Appeal from Order along with Interim Application shall be placed for consideration on 29 June 2026 'High on Board'.

6. Parties are at liberty to file common compilation of documents which shall be filed prior to the next date.

**[ADVAIT M. SETHNA, J.]**

**[R.I. CHAGLA, J.]**