



2025:KER:13772

WA NO. 214 OF 2025

-1-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR. NITIN JAMDAR

&

THE HONOURABLE MR. JUSTICE S.MANU

FRIDAY, THE 14TH DAY OF FEBRUARY 2025 / 25TH MAGHA, 1946

WA NO. 214 OF 2025

AGAINST THE JUDGMENT DATED 12.12.2024 IN WP(C)

NO.9383 OF 2020 OF HIGH COURT OF KERALA

APPELLANT(S)/PETITIONER:

M/S.ASWATHY GAS AGENCIES
AGED 45 YEARS
PAYYANNUR, A PARTNERSHIP REPRESENTED BY ITS
MANGING PARTNER, P. SAJITHA, S/O. P.V.
UNNIKRISHNAN, AGED 40 YEARS, BUSINESS, RESIDING
AT UPASANA P.O. EDAT, 670 327, KANNUR DISTRICT.,
PIN - 670307

BY ADV R.SURENDRAN

RESPONDENT(S)/RESPONDENTS:

- 1 INDIAN OIL CORPORATION LIMITED
REPRESENTED BY THE CHEF LPG MANGER, INDIAN OIL
CORPORATION LTD, KERALA STATE OFFICE, PANAMPILLY
AVENUE, PANAMPILLY NAGAR P.O. COCHIN 682 036.,
PIN - 682036
- 2 THE CHIEF AREA MANAGER,
INDANE AREA OFFICE, INDIAN OIL CORPORATION LTD
2ND FLOOR, , PMK TOWER, CIVIL STATION, P.O. WYNAD



2025:KER:13772

WA NO. 214 OF 2025

-2-

ROAD, KOZHIKODE 673 020., PIN - 673020

- 3 SMT. B. CHITHRA,
MANAGER, LPG (SALES) INDANE AREA OFFICE, INDIAN
OIL CORPORATION LTD, 2ND FLOOR PMK TOWER, CIVIL
STATION, P.O WYNAD ROAD, KOZHIKODE 673 020, PIN -
673020

SRI PAULOSE C ABRAHAM

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON
14.02.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



2025:KER:13772

WA NO. 214 OF 2025

- 3 -

JUDGMENT

Dated this the 14th day of February 2025

NITIN JAMDAR, C.J.

Heard Mr. R. Surendran, learned counsel appearing for the Appellant and Mr. Paulose C Abraham, learned counsel appearing for the Respondents.

2. Learned counsel for the Appellant and Respondent Corporation state that the present appeal can be disposed of in the same lines as W.A.No.210/2025.

3. The Appellant is challenging the judgment delivered by the learned Single Judge dated 12 December 2024 in W. P. (C) No. 9383 of 2020 setting aside the impugned orders and directing the Respondent Corporation to proceed afresh in respect of the findings rendered. According to the Appellant, the issue is regarding the power of the Respondent Corporation to proceed against the Appellant.

4. Considering the fact that the matter is disposed of setting aside the orders and directing the Corporation to proceed afresh, we do not think that interference at this stage is warranted. In case the decision of the Respondent Corporation is against the Appellant and the Appellant wants to challenge the said decision, all contentions of the Appellant including the legal questions which are sought to be



2025:KER:13772

WA NO. 214 OF 2025

-4-

urged before us in the appeal are kept open.

5. The writ appeal is accordingly disposed of.

Sd/-
NITIN JAMDAR
CHIEF JUSTICE

Sd/-
S.MANU
JUDGE

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