


HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 6434/2026

M/s. Shri Ram Gas Service

----Petitioner

Versus

Bharat Petroleum Corporation Limited & Anr.

----Respondents

For Petitioner(s) : Mr. Anil Mehta, Sr. Adv., assisted by
Mr. Saurav Mehta

For Respondent(s) : Mr. Sandeep Pathak, Caveator

HON'BLE MR. JUSTICE ANUROOP SINGHI
Order

09/04/2026

1. The present writ petition has been filed by the petitioner challenging the impugned show cause notice/letter dated 04.04.2026 (Annexure-5) issued by respondent No.2 – Bharat Petroleum Corporation Limited, vide which, while on one hand the petitioner has been called upon to submit its explanation, simultaneously directions have been issued to forthwith suspend the sales by the petitioner and supplies by the respondent to the petitioner, pending further investigation/enquiry and the decision on the show cause notice.

2. Mr. Anil Mehta, learned Senior counsel, assisted by Mr. Saurav Mehta, Advocate, submits that a bare perusal of the impugned order dated 04.04.2026 reveals that though it calls for an explanation from the petitioner, however, simultaneously suspending the sales by the petitioner makes the impugned order grossly arbitrary as a decision has already been arrived at by the respondents.

3. In support of the aforesaid submissions, learned Senior counsel has placed reliance upon an interim order dated 16.03.2026 passed by a Co-ordinate Bench of this Court in **S.B. Civil Writ Petition No.4967/2026**, which reads as under:-

“Learned Senior Advocate Mr. Virendra Lodha assisted by Dr. Prateek Sharma, Mr. Ashim Chatterjee and Mr. S.K. Soni appearing for the petitioner submits that as regards some irregularities pointed out and mentioned in para 3 of the impugned letter/show cause notice dated 14.03.2026, the respondent No. 2 in para 5 of the impugned letter/show cause notice observing that there are certain violations of Clauses i.e. Clause Nos. 5, 8, 10, 11, 22,23(a), 28(a), 28(h) & 28(j) of the Distributorship Agreement dated 13.10.2008, called for an explanation from the petitioner to be submitted within 15 days from the date of the impugned letter/show cause notice, and on the other hand, the respondent No.2, without waiting for 15 days for explanation to be submitted by the petitioner regarding the alleged violation, has suspended the distributorship license of the petitioner with immediate effect.

On perusal of the impugned letter/show cause notice dated 14.03.2026, the Court finds that on the one hand the respondent No. 2 is issuing show cause notice to the petitioner for breach of certain terms and conditions of the distributorship agreement and on the other hand without waiting for explanation of the petitioner, has ordered for suspension of the distributorship of the petitioner's Gas Agency i.e. M/s Urmil Gas Service.

Issue notice of the writ petition as also of the stay application to the respondent, returnable within two weeks.

In the meantime, the effect and operation of impugned show cause notice/letter dated 14.03.2026, issued by the respondent No.2 shall remain stayed to the

extent of suspending the distributorship of the petitioner's Gas Agency and the petitioner's Gas Agency shall be allowed to deal with its existing customers as on the date of issuing the impugned show cause notice/letter dated 14.03.2026.

However, it is made clear that the respondents would be free to proceed with the inquiry regarding the allegations levelled against the petitioner's agency after seeking explanation from the petitioner."

- 4.** Taking note of the above, issue notice to the respondents.
- 5.** Mr. Sandeep Pathak, Advocate, appears as a Caveator on behalf of both the respondents.
- 6.** Hence, service is complete and notice need not be filed.
- 7.** Learned counsel for the petitioner is directed to serve a copy of the writ petition in the Office of Mr. Sandeep Pathak, Advocate, within three days from today, to which learned counsel for the respondent may file reply on or before the next date.
- 8.** List the matter after four weeks along with S.B. Civil Writ Petition No.4967/2026 as prayed.
- 9.** In the meanwhile, the effect and operation of the impugned show cause notice/letter dated 04.04.2026, issued by respondent No.2 shall remain stayed to the extent of suspending the distributorship of the petitioner – Gas Agency and the petitioner shall be allowed to deal with its customers as existing on the date of issuance of the impugned show cause notice/letter dated 04.04.2026.
- 10.** Further, it is made clear that the respondents would be free to proceed with the inquiry regarding the allegations levelled against the petitioner after seeking explanation from the petitioner.

11. Additionally, learned counsel for the respondents shall be at liberty to file an application seeking modification/vacation of this order, if so advised.

(ANUROOP SINGHI),J

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