

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 8244/2026

M/s Dundlod Indian Oil Fs (194925), Through Its Sole Proprietor Smt. Shweta Devi Chokhani W/o Shri Lila Dhar Chokhhani, Aged About 48 Years, R/o Podar Gate, Nawalgarh, Jhunjhunu, Filling Pump Address S.h.8, Jaipur Loharu Road, Dundlod, Jhunjhunu (Rajasthan).

----Petitioner

Versus

1. The Indian Oil Corporation Limited, Through Its Chairman Cum Managing Director, Registered Office G-9, Ali Yavar Jung Marg, Bandra (East), Mumbai-400051.
2. Indian Oil Corporation Limited, Through The Appellate Authority Registered Office G-9, Ali Yavar Jung Marg, Bandra (East), Mumbai-400051.
3. Indian Oil Corporation Limited, Through Its Executive Director And State Head, Rajasthan State Office, Ashok Chowk, Adarsh Nagar, Jaipur/ (Rajasthan)-302004
4. Indian Oil Corporation Limited Jaipur, Through Its Divisional Retails Sales Head, Jaipur Divisional Office, First Floor, Lic Investment Building, Phase-II, Near Ambedkar Circle, Bhawani Singh Road, Jaipur (Rajasthan).
5. Indian Oil Corporation Limited, Jaipur, Assistant Manager-Rs, Jhujhunu.

----Respondents

For Petitioner(s)	:	Mr. Sandeep Singh Shekhawat
For Respondent(s)	:	Mr. A.K. Sharma, Sr. Adv. with Mr. Vikram Singh Ms. Annika Anna Ms. Nidhi Samodia Mr. Dikshant Jain

HON'BLE MR. JUSTICE SAMEER JAIN

Order

07/05/2026

1. It is submitted by learned counsel for the petitioner that the petitioner was operating the Retail Outlet (RO) dealership since the year 2005 with an unblemished service record. It is submitted that on account of certain malafides having originated from a

complaint made by one of the employee the petitioner was inspected certain parts of Dispensing Units were seized and sent to the expert body for examination and scrutinization, wherein findings were recorded however, it was stated there were certain manipulation qua delivery of fuel.

2. Thus, on basis of the said report, the original and appellate authority have given findings and opined for termination of the dealership. It is contended that as per the inspection report as well as the finding given by expert, it is suggested that no case is made out as the samples drawn were in correct state, even the inspection report substantiates the *bonafides* of the petitioner, therefore, he has approached the Court.

3. It is submitted that in first round of litigation, direction for no coercive action against the petitioner were given. It is submitted that without noting specific findings on the issues raised by petitioner, appellate authority passed an order upholding the termination, assailing which the instant petition is filed.

4. Learned counsel for respondents has marked attendance as a caveator, and submitted that present writ petition is not maintainable. It is submitted that there is an alternate efficacious remedy as provided in the dealership agreement dated 24.06.2008 Clause 62 (Arbitration). It is submitted that the provisions of Section 9 of the Arbitration and Conciliation Act, 1996, empowers parties to approach a court for interim measures of protection before, during, or after arbitral proceedings (before enforcement). It is further submitted that an independent arbitrator can also be appointed in case of dispute under Section

11 of the Act of 1996. Learned counsel has refuted the contentions raised by petitioner *in toto*.

5. Having heard the submissions made insofar and upon a perusal of the material available on record, however, without going into merits of the case and on account of an alternate efficacious remedy, this Court is not inclined to interfere with the present writ petition. Thus, the instant petition is disposed with a direction that if within a period of seven days, from the date of passing of this order, appropriate application under the provisions of the Act of 1996, is moved seeking interim protection, the same be considered by the respondents, within next period of three weeks, by way of a speaking order.

6. It is cautiously clarified that till consideration of the said application, no coercive action be taken against the petitioner and status *quo* be maintained. It is made clear that passing of the order/observation by this Court will not prejudice either of the sides.

7. Needful be done within an upper limit of thirty days from the date of passing of this order.

8. Accordingly, the present writ petition is disposed of. Pending applications, if any, shall stand disposed.

(SAMEER JAIN),J