

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 14615/2023

M/s Gayatri Filling Station, Harsawa, Tehsil Fatehpur, District Sikar-Rajasthan Through Its Proprietor Jyoti Swaroop Agarwal S/o Sh. Sanwar Mal Agarwal Chokhani Aged About 42 Years, R/o Ward No. 28, Podar Gate, Tehsil Nawalgarh, District Jhunjhunu Rajasthan

----Petitioner

Versus

1. Indian Oil Corporation Limited, Through Its Chairman, Office At 3079/3, Sadiq Nagar, JB Tito Marg, New Delhi-110049
2. Executive Director (Retail Sales-N & E) and the Appellate Authority, Indian Oil Corporation Limited, Head Office, Indian Oil Bhawan, G-9, Ali Yavar Jung Marg, Bandra (East), Mumbai-400051
3. Executive Director And State Head, Rajasthan State Office, Indian Oil Corporation Ltd., Indian Oil Bhawan, Ashok Chowk, Adarsh Nagar, Jaipur-302004

----Respondents

For Petitioner(s)	:	Mr. Saransh Saini
For Respondent(s)	:	Mr. Vikram Singh for Ms. Suruchi Kasliwal

HON'BLE MR. JUSTICE SUDESH BANSAL

Order

13/02/2025

1. Petitioner has moved an application (1/2024) for hearing the stay application.
2. Heard learned counsel for both parties on the stay application.
3. In the stay application, petitioner has prayed to stay the operation of termination order/letter dated 17.02.2023 so also the

effect of order dated 09.08.2023 passed by the Appellate Authority affirming the termination order. It appears that the dealership agreement dated 01.04.2008 (Ann.2), to operate Retail Outlet of Motor Spirit/ High Speed Diesel at village Harsawa, Tehsil Fatehpur, District Sikar, has been terminated vide order dated 17.02.2023 after serving a show cause notice upon the petitioner and giving opportunity of hearing to the petitioner, fundamentally on the ground of tempering with the Nozzle of outlet.

4. This Court finds that no *prima facie* case is made out in favour of petitioner to grant such interim relief, which otherwise tentamounts to granting final relief at this stage, hence it is not a fit case for grant of stay in favour of petitioner.

5. In that view, the stay application is hereby dismissed. However, since the pleadings of parties are complete, let the writ petition be listed for admission/ final hearing on 03.04.2025.

(SUDESH BANSAL),J