

There has to be a proper explanation to show cause notice. What is reply to show cause notice has not been looked into by the High Court. We set aside the order and request the High Court to decide the case afresh in accordance with law. No final comment on merits of the case has been made by us.

The appeal is allowed and the case is remitted back to the High Court for deciding the case afresh. Status-quo existing as on today regarding running of the petrol pump shall be maintained. No costs.

.....J.
(ARUN MISHRA)

.....J.
(MOHAN M. SHANTANAGOUDAR)

NEW DELHI;
AUGUST 31, 2017.

ITEM NO.104

COURT NO.10

SECTION III-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 7140/2008

DEPUTY GENERAL MANAGER(I/C) INDIAN OIL CORPN.
LTD. & ORS.

Appellant(s)

VERSUS

M/S. PESTONJI BROTHERS & ANR.

Respondent(s)

Date : 31-08-2017 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA

HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Appellant(s) Ms. Priya Puri, AOR
Mr. Ranjay Kr. Dubey, Adv.
Mr. Swatantra Rai, Adv.
Mr. S.K. Puri, Adv.
Mr. Vibhav Srivastava, Adv.

For Respondent(s) Mr. Neeraj Kishan Kaul, Sr. Adv.
Ms. Vivya Nagpal, Adv.
Mr. Umesh Pratap Singh, Adv.
Mr. Karan Khanna, Adv.
Mr. Aniket Bhattacharaya, Adv.
Mr. Arjun Aggarwal, Adv.
Mr. Raghvendra M. Bajaj, Adv.
Ms. H. Kaul, Adv.
Mr. Viplav Acharya, Adv.
Mr. Syed Shahid Hussain Rizvi, AOR

Ms. Abha R. Sharma, AOR

UPON hearing the counsel the Court made the following
O R D E R

The appeal is allowed in terms of the signed order. No costs.

(SAPNA BISHT)
SENIOR PERSONAL ASSISTANT

(TAPAN KUMAR CHAKRABORTY)
BRANCH OFFICER

(Signed order is placed on the file)