



- 3 The writ petition under Article 226 of the Constitution was not pressed by the counsel for the petitioner in order to enable the petitioner to pursue the remedy of arbitration.
4. Ms Meenakshi Arora, learned senior counsel urged that in view of the decision of this Court in **Hindustan Petroleum Corporation Limited v M/s Super Highway Services & Anr<sup>1</sup>**, a claimant in an arbitral proceeding whose dealership has been terminated cannot claim restoration of the dealership but only damages. Hence arbitration is not an effective remedy and the petition was not pressed by counsel on a misconception of law. On this basis, a petition for review of the earlier order was filed before the High Court which was also dismissed on 10 January 2020.
- 4 In the circumstances, it has been urged that it would be appropriate if the writ petition is restored to the file of the High Court to enable the petitioner to pursue the proceedings on merits.
- 5 Issue notice, returnable in six weeks.

**(SANJAY KUMAR-I)**  
**AR-CUM-PS**

**(SAROJ KUMARI GAUR)**  
**COURT MASTER**

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<sup>1</sup> (2010) 3 SCC 321