

2025:PHHC:119359



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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CWP-25995-2025

Date of Decision: 03.09.2025

M/s Indian Oil Corporation Ltd. Chandigarh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Ashish Kapoor, Advocate
for the petitioner.

Mr. Nirmaljit Singh Diwana, Sr. DAG, Punjab.

Mr. R.K. Sharma, Advocate
for respondent No.5.

HARSH BUNGER J. (ORAL)

The present writ petition has been filed under Articles 226/227 of the Constitution of India seeking a writ in the nature of *Certiorari* for setting aside the order dated 22.08.2025 (Annexure P-10) passed by respondent No.2 (District Magistrate, Ludhiana), whereby the NOC issued to the petitioner has been cancelled.

1.1. A further prayer has been made for issuance of a writ in the nature of *Mandamus*, directing the respondents to permit the petitioner to

operate the Retail Outlet.

2. After arguing for some time, learned counsel for the petitioner submits that he may be permitted to withdraw the present writ petition with liberty to the petitioner to avail its remedy of appeal under Rule 154 of the Petroleum Rules, 2002. He further submits that since the petroleum products are lying in the premises, therefore, appropriate directions be issued to the concerned/competent authority for deciding the appeal in a time bound manner.

3. At this stage, Mr. Nirmaljit Singh Diwana, Senior Deputy Advocate General, Punjab appears on behalf of the respondents-State, in pursuance of the advance copy of paper book having been served upon him.

3.1. Learned State counsel has not opposed the aforesaid course being adopted.

4. Keeping in view the above, the present writ petition is dismissed as withdrawn, however, with liberty to the petitioner to avail its remedy of appeal in terms of the Rule 154 of the Petroleum Rules, 2002.

4.1 It goes without saying that in case any such appeal is filed on behalf of the petitioner, the same shall be considered and decided by the concerned authority within a period of one week from the date of filing of appeal, in accordance with law.

5. The writ petition stands disposed of in aforestated terms.

6. All pending application(s), if any, shall also stand closed.

03.09.2025

Pd

**(HARSH BUNGER)
JUDGE**

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No