

(2017) 02 RAJ CK 0055
RAJASTHAN HIGH COURT
Case No: 1763 of 2008

Alam Ali Khan S/o Shri
Khallu Khan

APPELLANT

Vs

The Indian Oil
Corporation

RESPONDENT

Date of Decision: Feb. 10, 2017

Hon'ble Judges: Sandeep Mehta

Bench: SINGLE BENCH

Advocate: Sunil Joshi, Jitendra Chopra

Final Decision: Disposed

Judgement

1. Shri Jitendra Chopra learned counsel for the respondent Corporation points out that the petitioner has been evicted from the location where the petrol pump had been installed under the questioned dealership as the owner of the land on which the pump was established has since succeeded in the lis seeking eviction of the petitioner vide judgment dated 30.7.2012. Thereafter, the petrol pump in question was dismantled and is no longer operational as on date.

2. Shri Sunil Joshi learned counsel for the petitioner concedes to these subsequent developments and requests that as the petitioner's dealership has not been terminated till date, keeping open the petitioner's right to agitate his cause under the continuing dealership against the respondents, the instant writ petition may be disposed of as having become infructuous.

3. Shri Chopra does not object to the said submission.

4. Accordingly, the instant writ petition is disposed of as having become infructuous giving liberty to the petitioner to take recourse of the appropriate legal remedy for

enforcing the rights, if any, available to the petitioner under the questioned dealership agreement against the respondents.

5. Stay application also stands disposed of.

6. No order as to cost.