

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

CIVIL APPLICATION NO.12014 OF 2015 IN
WRIT PETITION NO.453 OF 2015

Hindustan Petroleum Corporation Limited ... APPLICANT
(Orig.Respondent No.2)

VERSUS

Rupesh s/o Ghanshyam Patil ... RESPONDENT
(Original Petitioner)

.....
Mrs. Anjali Dube (Bajpai), Advocate for applicant
Shri V.B. Patil, Advocate for respondent
.....

CORAM: R.M. BORDE &
A.I.S. CHEEMA, JJ.

DATED: 4th December, 2015.

ORAL ORDER :

1. The learned counsel appearing for the applicant Petroleum Company states that the directions issued by this Court in terms of para No.4 of the order issued on 22.1.2015 needs to be recalled for the reason that the respondent (writ petitioner), in view of the guidelines, was required to deposit only 10% of the security amount and the said amount has been deposited by the respondent.

2. The counsel for the applicant states that, due to misinterpretation of the policy guidelines contained in clause 9.14, statement was made which led to passing of order dated 22.1.2015. In terms of the relevant clause contained in the guidelines, 10% of the security amount deposited by applicant is liable to be forfeited in the event of rejection of his claim. Since the refund is not contemplated under the relevant guidelines framed by the Petroleum Company, the directions issued by this Court in that behalf, on the basis of unintentional lapse on part of Advocate for applicant in misinterpreting relevant clause needs to be recalled.

3. The Civil Application is thus allowed. The directions contained in para No.4 of the order issued on 22.1.2015 stand recalled.

(A.I.S. CHEEMA, J.)

(R.M. BORDE, J.)