

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

WP NO.9569/2014

11 WRIT PETITION NO. 9569 OF 2014

Savita w/o Rajendra Chaudhary,
Age 42 years, Occ. Business,
r/o Amrapur, Tq. Shevgaon,
Dist. Ahmednagar.

...PETITIONER

VERSUS

1. The Indian Oil Corporation Ltd.,
Through its chief Manager (Retail Sales),
Maharashtra State Office
Dr.Anny Bezant Road, Warli,
Mumbai 431 030

and two others.

...RESPONDENTS

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Advocate for Petitioner : Mr.Bhalerao Sudhir G.

Mr.Bhandari Anand P., Adv., for R/1 And 2.
Mr. Pravin Kostegaonkar, Adv., h/f Mr. jaju Nikhil S., Adv. for R/3.

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CORAM : R. M. BORDE & P.R. BORA, JJ.

Dated: August 24, 2015

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PER COURT :-

1. The petitioner is objecting to the selection of respondent no.3 for the purposes of appointing her as a Dealer for retail sale of petroleum products.

2. The petitioner contends that the lands offered by both; the petitioner and respondent no.3, are on opposite direction of

agp/-

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(2)

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the State Highway. The advertisement published by the Petroleum Corporation prescribes the location as left hand side from Varur Phata to Sahajpur Phata on State Highway No.148. According to the petitioner, the land belonging to her falls on the left hand side of the State Highway, and respondent no.3 cannot be considered eligible for appointment as a dealer since the site offered by her falls on the right hand side of the State Highway.

Counsel appearing for respondent Petroleum Corporation points out that there are two Warur Phatas situated on the State Highway, and the site offered by respondent no.3 falls on State Highway no.148 on left hand side of the State Highway from Varur Phata to Sahajapur Phata. The Petroleum Corporation has held both the applicants eligible for the purposes of assessment of comparative merit.

3. Apart from the factual controversy raised in the matter, it does appear that respondent no.3 has secured more marks than that of the petitioner and, as such, the proposal tendered by respondent no.3 is competitive and meritorious.

4. In this view of the matter, in exercise of extraordinary jurisdiction under Article 226, no interference is called for. The petition is devoid of substance and stands rejected.

(P.R. BORA, J.)

(R. M. BORDE, J.)

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agp/-