

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

WRIT PETITION NO. 10275 OF 2013

Shri Tilottamadas Pitambar Bonde

.. PETITIONER

VERSUS

The Union of India
& others

.. RESPONDENTS

Mr. M.M. Bhokarikar, advocate for petitioner.
Mrs. M.A. Deshpande, AGP for the State.
Mr. S.B. Deshpande, ASG for Union of India.
Mr. S.S. Kulkarni, advocate for respondents 2 and 3.
Mr. S.P. Brahme, advocate for respondent no. 4.

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**CORAM : R.M. BORDE &
P. R. BORA, JJ.
DATE : 31st JULY, 2015**

PER COURT :

1. Petitioner is objecting the order passed by the petroleum company declining to consider his candidature for appointment as a dealer for retail sale of petroleum products for the reason that the site proposed by petitioner for construction of godown is not found suitable as it is not freely accessible through all weather motorable public road or private road owned by the petitioner. Petitioner contends that the finding recorded by the respondent – authority is perverse and there is a motorable road available as access to the site proposed by petitioner for construction of godown.

2. We do not deem it necessary to investigate into these factual aspects as regards suitability of the site proposed by petitioner for construction of the godown. Subjective satisfaction arrived at by the officials of the

petroleum company need not be a matter of scrutiny in exercise of extraordinary jurisdiction conferred on this Court. It is informed that after rejection of candidature of petitioner, fresh advertisement has been issued which is also subject matter of challenge. We do not find any irregularity committed by petroleum company in rejecting candidature of petitioner and subsequent decision of calling applications by issuing fresh advertisement for selection of candidate. Petition is devoid of substance hence stands rejected. Consequently, pending civil applications, do not survive and stand disposed of.

(P. R. BORA)
JUDGE

(R. M. BORDE)
JUDGE

dyb