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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2899 OF 2013

Shri. Parmeshwar Chandrasa Kumbhar	... Petitioner
Versus	
The Union of India and Ors.	... Respondents

Mr. Narendra V. Bandiwadekar, for the Petitioner.
Mrs. Nisha Valani, for the Respondent No.1.
Mr. S.R. Page, for Respondent Nos.2 to 4.
Mr. P.G. Sarada, for Respondent No.5.

CORAM : A.S. OKA &
V.L. ACHLIYA, JJ.

DATE : 8th OCTOBER, 2015

PC.

. The Petitioner made an application on the basis of an advertisement published by the Petroleum Companies for appointment of Distributors under the Rajiv Gandhi Gramin LPG Vitrak Scheme (RGGLV). The Petitioner along with Respondent No.5 were held eligible. Thereafter, lots were drawn in which Respondent No.5 was selected.

2. The learned counsel appearing for the Petitioner pointed out the list of eligible candidates which shows that the Petitioner had obtained 95 marks while the fifth Respondent had obtained 92 marks. He pointed out that in the Petition the Petitioner has challenged the

relevant clauses and in particular Clause No.12.2 of the brochure for selection of the Distributors under the said Scheme. His submission is that Clause No.12.2 which provides for selection by draw of lots is arbitrary, illegal and thus, violative of Article 14 of the Constitution of India. His submission is that the Petitioner ought to have been selected as he is best available candidate.

3. We have considered the submissions. With the full knowledge that the selection will be done by draw of lots out of the eligible applicants securing minimum qualifying marks, the Petitioner participated in the process. Therefore, it is not open for the Petitioner now to challenge the Clause No.12.2 which provides for selection by draw of lots. The marks have been assigned only to determine the eligibility. Hence, there is no merit in the Petition and accordingly, the Writ Petition is dismissed.

(VL. ACHLIYA, J)

(A.S. OKA, J)