

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.6022 OF 2014

Shri Dadasaheb Vittalrao Shelke.

.. Petitioner

Vs

Hindustan Petroleum Corporation Limited
and Others.

.. Respondents

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Shri Umesh R. Mankapure for the Petitioner.

Shri Minoo Siodia i/b M/s. Rustomji & Ginwala for the Respondent
Nos.1 and 2.

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CORAM : A.S. OKA & G.S. PATEL, JJ

DATED : 11TH DECEMBER 2015

P.C.

1. Heard the learned Counsel appearing for the Petitioner and the learned Counsel appearing for the first and second Respondents.

2. On the basis of the advertisement published by the first Respondent, the Petitioner applied for grant of retail outlet at the location of Lonand on Shikrapur Satara State Highway No.61, 1 Km from S.T. Stand towards Nira River, District- Satara. The result of the selection process was declared on 5th August 2013 by which the third Respondent was declared as a successful candidate.

3. The challenge in this Petition is two-fold. The first contention is that though the third Respondent had offered the land bearing Survey No.355/1, what was inspected by the Inspection Committee of the first Respondent was the site covered by the land bearing Survey No.355/2. The second contention is that as per the advertisement, a land located at Lonand on Shikrapur Satara State Highway No.61, 1 km from S.T. Stand towards Nira River, District - Satara was offered by the Petitioner, but the land offered by the third Respondent bearing Survey No.355/1 was not falling under the stretch which was advertised.

4. The Petitioner lodged a complaint with the first Respondent as regards the selection of the third Respondent. The Petitioner was called for hearing and the complaint was looked into. An order was made on 28th October 2013 by the Committee which dealt with the complaint. After investigation, it was found that the grievance that instead of inspecting the land bearing Survey No.355/1, some other land was inspected was without any basis. As far as the land offered by the third Respondent is concerned, a finding of fact has been recorded that the land was within the advertised stretch.

5. The Fact Finding Committee appointed by the first Respondent has considered the complaint made by the Petitioner. It was found that the complaint has no merit. Hence, no interference is called for in writ jurisdiction. Hence, the Petition is rejected.

(G.S. PATEL, J)

(A.S. OKA, J)