

IN THE COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH, NAGPUR

**WRIT PETITION NO. 3058 /2015**

( Shri Arvind s/o Dhaniram Nagdeve vs. Ministry of Petroleum and natural Gas and  
another )

.....  
Office Notes, Office Memoranda of  
Coram, appearances, Court's orders  
of directions and Registrar's orders

Court's or Judge's order

.....  
Miss Vidya Umale, Advocate for the petitioner  
Mrs. Anjali Joshi, Advocate for Respondent No.1  
Mr. P.D. Meghe, Advocate for Respondent No.2

**CORAM : SMT. VASANTI A. NAIK &  
A.S. CHANDURKAR, JJ.**

**DATED : 16<sup>th</sup> September, 2015.**

Heard.

By this petition, the petitioner challenges the communication of the respondent-Hindustan Petroleum Corporation Limited (HPCL ), dated 17.3.2015, as bad in law.

By the said communication, it was informed to the petitioner that the entire process conducted in pursuance of the advertisement for grant of LPG distributorship, such as, scrutiny/draw held/ re-draw held/ field verification is not to be acted upon and the petitioner would be informed about the subsequent developments separately. It was informed to the petitioner by the said communication that the list of eligible and ineligible candidates would be reviewed in respect of the issue of reckoning of the lease deed.

Shri Meghe, the learned counsel for the

respondent no.2 -Corporation, states on instructions that the respondent no.2-Corporation is not desirous of issuing a fresh advertisement and only the eligible candidates that have applied in pursuance of the advertisement dated 29.09.2013 would be considered. It is stated that in view of the judgment in a bunch of writ petitions bearing Writ Petition No.2812 of 2014 and others, the candidates that were declared ineligible on the basis of their lease-deeds would be reconsidered to gauge their eligibility. It is stated that the petitioners and the other eligible candidates would be considered along with the candidates, that were declared ineligible earlier on the basis of their lease-deeds but, who would be declared eligible after reconsideration of their lease-deeds. It is stated that a fresh advertisement would not be called and the freshly declared eligible candidates would be considered along with the candidates that were declared eligible earlier. It is stated that the question of eligibility of the candidates that were declared eligible would not be reconsidered.

The learned counsel for the petitioner states that the grievance of the petitioner would stand redressed in view of the statement made on behalf of the respondent no.2-Corporation.

Hence we dispose of the writ petition by accepting the statement made on behalf of the respondent no.2-HPCL, which would be binding on the Hindustan Petroleum Corporation Limited.

At the request of the learned counsel for the

petitioner, the respondent no.2-Corporation is directed to refund the amount of Rs. 50,000/-, paid by the petitioner to the Corporation, in view of his selection. The petitioner would be free to redeposit the amount if the petitioner is again selected for grant of LPG distributorship.

Order accordingly. No costs.

**JUDGE**

**JUDGE**

*sahare*