

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

36 WRIT PETITION NO. 923 OF 2016  
WITH CA/9469/2016 IN WP/923/2016

DEEPALI MARUTI MURUDKAR

VERSUS

HINDUSTAN PETROLEUM CORPORATION LTD MUMBAI

...

Advocate for Petitioner : Mr. Barlinge S. R. and Mr.  
Prashant R Nangare

Advocate for Respondent No.1: Mrs. Anjali Dube (Bajpai)

AGP for Respondent No.2: Mr. A.R. Kale

**CORAM : R. M. BORDE &  
K. L. WADANE, JJ.**

**DATE : 25th July, 2016**

**ORDER:**

1. Heard learned counsel for the respective parties.
2. The petitioner is aggrieved by the communication issued by the Petroleum Company dated 03.12.2015 refusing to consider her application for Retail Outlet Dealership of petroleum products. The proposal tendered by the petitioner has been turned down mainly on the ground that the location offered by the petitioner is on the right hand side towards Madalmohi between KM Stone 300 and 302. It is pointed out that village Bhanvarwadi is situate at right hand side of Highway and any part of the property of village is not located on the left hand side i.e. advertised location. According to the petitioner, she is the sole applicant

and her application ought to have been considered favourably. An affidavit in rejoinder has been presented on behalf of the Petroleum Company and it is stated therein that there is no other alternative for the Petroleum Company except to release an advertisement afresh on the basis of approval of MOP and NG. It is thus clear that on the basis of advertisement issued, no dealer can be appointed for the retail sale of petroleum products at the advertised location by the petroleum company and the tenor of the affidavit also demonstrate that no appointment would be made for the advertised location. It would be open for the respondent Petroleum Company to release the next advertisement on the basis of the approval of the concerned authority and if such advertisement is issued, it would be open for the petitioner to compete and put-forth her claim.

3. In view of above, writ petition stands disposed of.

4. In view of disposal of writ petition, pending civil application does not survive and stand disposed of.

**(K. L. WADANE, J.)**

**(R. M. BORDE, J. )**

JPC