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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1548 OF 2016

Sau.Jayashri Dilipraj Patil through
P.A. Prabhakar Ramhari Patil ...Petitioner
vs.
Union of India & Ors. ...Respondents

Ms Manjiri Parasnis for the Petitioner
Ms M.P.Thakur, AGP for the respondent Nos.2 to 10
Mr.Ajay Khaire for respondent Nos.11 and 12
Mr.Wasim Samlewale i/b Mr.Mankapure for respondent
No.13.

CORAM : A.S.OKA, &
C.V.BHADANG, JJ.
DATE : FEBRUARY 4, 2016

P.C.:

. Not on board. Taken on board.

1 Heard the learned counsel for the petitioner and the learned AGP for the respondent Nos.2 to 10. We have also heard the learned counsel for respondent Nos.11 and 12 as well as the learned counsel for the respondent No.13. A letter of intent was issued by the respondent No.11 on 7th May 2013 by which the respondent No.11 (BPCL) appointed the respondent No.13 as a Retail Outlet Dealer at a particular location. The petitioner had also applied for grant of the dealership. However, the petitioner was not selected and the respondent No.13 was selected. The petitioner has not challenged the selection of respondent No.13 which was made way

back in the year 2013. What is challenged by the petitioner in the present petition is the No Objection Certificate granted by the District Collector on 21st December 2015 to the respondent No.13 for the purpose of construction of Petrol and Diesel Pump on the land of the respondent No.13.

2 The petitioner has not challenged the dealership granted to the respondent No.13 way back in the year 2013. The petitioner has no right, title or interest in respect of the land in respect of which No Objection Certificate has been granted by the District Collector. The petitioner is not personally affected by it. Thus, the petitioner has no locus to maintain this petition under Article 226 of the Constitution of India. Considering the fact that the petitioner competed with the respondent No.13, even a PIL on the subject matter will not be maintainable at the instance of the petitioner. Therefore, we decline to entertain this petition under Article 226 of the Constitution of India and the same is rejected.

3 However, we make it clear that we have made no adjudication on the issue of legality and validity of the No Objection Certificate issued by the District Collector.