

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7154 OF 2016**

Mr. Rakesh Pandurang Ghode
Versus

...Petitioner

Hindustan Petroleum Corporation
Ltd. & Ors.

...Respondents

...

Mr. U.P. Warunjikar for the Petitioner.
Mr. Minoo Siodia with Ms Raksha Thakkar i/b.
M/s. Rustomji and Ginwala for Respondent No.1.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED : 29th JUNE, 2016.

P. C. :

Heard the learned counsel for the respective parties.

2. The petition is filed for seeking following reliefs:

“a) This Honourable Court be pleased to call for the record and proceeding of the communication dated 6.6.2016 issued by the respondent No.1 herein inviting the petitioner and the respondent Nos.2 to 5 for draws to be held on 30.6.2016 and after going through the same and satisfying about the legality, validity and propriety of the same be pleased to quash and set aside the same.

b) Further this Honourable Court be pleased to issue writ of mandamus directing the respondent herein to award the LPG Distributorship in favour of the present petitioner herein in view of the draws held on

23.1.2015 and in view of the fact that the petitioner is the only remaining eligible candidate as per the draw held on 23.1.2015.

(c) This Honourable Court be pleased to restrain the respondent no.1 from conducting any draws scheduled to be held on 30.6.2016 as per the communication dated 6.6.2016, or in the alternatively be pleased to restrain the respondent no.1 from including the names of the respondent nos.2to 5 as eligible for the draws to be held on 30.6.2016.”

3. Mr. Warunjikar, the learned counsel for the Petitioner states that initially the draw for LPG distributorship was held on 23.1.2015 and he was held eligible and despite this position, the Respondents-authorities have scheduled fresh draws on 30.6.2016. Mr. Warunjikar also states that the persons whose names are shown in the list are not eligible to participate.

4. Mr. Ramakanta K. Dash, Chief Regional Manager (Mumbai LPG RO) has filed affidavit on behalf of Respondent No.1. In para Nos.3, 4 and 5 he categorically states that in a draw, which was held on 23.1.2015 one Sanjay Chavan got selected for the LPG distributorship. In para No.6 of the said affidavit it is stated that during the field investigation it was found that said Sanjay Chavan was not eligible hence, his candidature was rejected. Thereafter as per the guidelines dated 25th January, 2015 and 25th February, 2016 issued by Ministry of

Petroleum and Natural Gas they proposed fresh draw in which five persons are listed including the Petitioner,

5. Inviting our attention to the averments made in the petition, Mr. Warunjikar, the learned counsel for the Petitioner submits that some of the persons whose names are reflected in the list are not eligible.

6. The learned counsel for the Respondent No.1, has made a statement that if any of the persons found to be not eligible, then he will be disqualified. The statement is accepted.

7. In the above circumstances, we are not inclined to interfere in the petition. The petition is devoid of any substance, hence dismissed.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)