

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

Writ Petition No.4023 of 2015

(Chandrakant s/o. Gajanan Wani and another .vs. Indian Oil Corporation Ltd.,
Mumbai and Ors.)

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

Court's or Judge's orders.

Mr.Anand Parchure, Advocate for the Petitioners.
Mr.Rohit Joshi, Advocate for Respondent Nos. 1 & 2.
Mr.A.J.Salway, Advocate for Respondent No.3.

CORAM : B.R.GAVAI AND
V.M.DESHPANDE, JJ.

DATE : 7.12.2016.

Heard.

The petitioner has challenged allotment of LPG distributorship to respondent no.3 under Rajiv Gandhi Rural LPG Distribution Scheme.

It is the contention of the petitioner that, though, in the draw, respondent no.3 was found to be eligible, he has constructed godown on the land which did not possess N.A. Permission. It is submitted that various representations were made, but respondent nos. 1 and 2 did not take any action.

It is further submitted that, as per notice at page no.23, the godown has to be situated within a distance of 500 metres from the showroom.

Insofar as the first contention is

concerned, respondent no.3 has placed on record the order passed by the Sub-Divisional Officer thereby granting N.A. Permission u/s. 44(1) of the Maharashtra Land Revenue Code, 1966. If the petitioner is aggrieved, he is at liberty to take such steps to challenge the same in accordance with law.

Insofar as the second ground is concerned, no rules or guidelines issued to respondent nos. 1 and 2 are placed on record to show that the godown should be situated within a distance of 500 meters from the showroom. Even otherwise, we find that such a condition, if there is any, would be impossible. If such a condition is to be followed, then it will not be possible to have any LPG distributorship even in taluqa places. It will be totally impossible to construct a godown at the distance of 500 meters from the showroom. It is to be noted that the LPG is a highly explosive substance and the godowns are required to be situated far away from the human habitat.

In that view of the matter, we find no merits in the petition. Hence, the same is dismissed.

No order as to costs.

JUDGE

JUDGE