

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

BENCH AT AURANGABAD.

WRIT PETITION NO.517 OF 2015

Shaikh Salim S/o Shaikh
Chotu Gavali. ...Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...
Mr.T.G.Gaikwad, advocate for the petitioner.
Mr.K.D.Mundhe, A.G.P. for the State.
...

CORAM : S.V.GANGAPURWALA J.

Date : 12.12.2017.

PER COURT :

1. Mr.Gaikwad, learned counsel for the petitioner submits that petitioner was issued kerosene license in the year 1994. It was renewed from time to time up to 31.12.2003. However, subsequently, the kerosene license could not be renewed as the petitioner was not well and the petitioner was not residing in Ambejogai city. The learned counsel submits that

principles of natural justice are not followed. In case of similarly situated persons the State has renewed the license even after 5/6 years. The petitioner is discriminated.

2. The learned A.G.P. submits that since the issuance of license in the year 1994, the petitioner did not lift any quota and was engaged in other avocation.

3. With the assistance of the learned counsel, I have gone through the orders passed by the authorities. It appears that the petitioner has given an affidavit clearly admitting that he has never lifted kerosene quota though the kerosene license is sanctioned to him in the year 1994 and renewed up to the year 2003. He has also clearly admitted in the affidavit that he was doing other business and he was not residing at Ambejogai. It is only after his other business has stopped, the application for renewal is filed in the year 2009 after lapse of six years.

4. The authorities have rightly considered the factual matrix of the matter and refused to exercise any discretion in favour of the petitioner.

5. The Writ Petition as such is disposed of. No costs.

(S . V . GANGAPURWALA, J .)

asp/office/wp517.15

