

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 6727 OF 2017

Vijay Keshavrao Patil

... Petitioner

Versus

Indian Oil Corporation & Anr.

... Respondents

.....

Mr. Akshay Deshmukh a/w Mr. Sumit Kate i/b Uday P. Warungikar
for petitioner.

Mr. Chirag Mody a/w Mr. Ashok Purohit a/w Mr. Tejas Gokhale i/b
Ashok Purohit and Co. for respondent no. 1- IOCL.

Mr. C.G. Gavnekar a/w Mr. Hiranandani for respondent no. 2.

Mr. R.S. Pawar, AGP for respondent no. 4.

.....

**CORAM: SHANTANU S KEMKAR &
G.S. KULKARNI, JJ.**

DATE : November 21, 2017.

P.C. :

. This petition is filed under Article 226 of the Constitution of India. The petitioner is seeking following direction to the respondent:-

a) This Hon'ble Court be pleased to call for the record and proceeding of the draws conducted by the respondent dated 29.03.2017, and be pleased to direct the respondent no.1 to produce the CCTV footage and/or the video recording of the draws within such period as this Hon'ble

Court may deem fit and proper, after going through the same and satisfying about the legality, validity and propriety of the same be pleased to quash and set aside the draw held on 29.03.2017.

b) This Hon'ble Court be pleased to direct the respondent no. 1 herein to conduct an enquiry about the averments and allegations made in the petition with reference to the conducting of the draws in a bogus manner and submit a report to this Hon'ble Court by fixing the responsibility.

2. According to the petitioner, the results of the draws were already made known to him and, as such the result was managed by the second respondent.

3. Learned counsel for the first respondent, on instructions, submits that the petitioner had made a complaint in regard to the aforesaid allegations and the first respondent is enquiring about the petitioner's allegations.

4. In view of the aforesaid, we are of the opinion that nothing survives in the present petition. However, by keeping all questions open and the petitioner's right to challenge the decision as will be taken in the enquiry, if the same is against the petitioner, we dispose of the petition.

5. Learned counsel appearing for the first respondent submits that the decision which may be taken in the enquiry shall be informed to the petitioner's and also to the second respondent.

(G.S. Kulkarni, J.)

(S.S. Kemkar, J.)