

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 532 OF 2018

RAVINDRA ARJUN BAVISKAR

Petitioner

Versus

THE INDIA OIL CORPORATION LIMITED
INDIAN THROUGH ITS CHIEF AREA MANAGER

Respondents

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Mr. V.D. Hon, Sr. Advocate h/f Mr. Hon Ashwin V. Advocate for Petitioner

Mr. A.P. Bhandari, advocate for respondent

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CORAM : **R.M. BORDE & K.K. SONAWANE, JJ**

(Date: March 12th, 2018)

PER COURT :-

1 Heard.

2 The petitioner is objecting to the rejection of his claim for allotment of LPG distributorship in Samner, Tq. Pachora, Dist. Jalgaon. The claim of the petitioner has been turned down on the ground that, the land offered by him, during the second occasion at field verification, does not answer the requirements laid down by the Petroleum Company.

3 The Company initially conducted field verification on 4.12.2017 and it was noticed that the land offered by the petitioner, in his application is not acceptable. The petitioner does not have any dispute as regards the aforesaid decision

taken by the filed verification committee.

4 The petitioner was called upon to offer an alternate land and petitioner, in pursuance to such call, gave in writing that he is not in a position to offer alternate land, however, cited survey No.374/02 at Nandra, Tahdil Pachora. The land is situate at about 4 Kms from village Samner as contended by the petitioner. The filed verification committee, however, found that the alternate land offered by the petitioner is also not in accordance with the terms and conditions laid down in the brochure. The respondent Company insists on providing for the land for godown at the same village for which the LPG distribution-ship is offered. The said condition does not prescribe outer limit of 15 KMs for setting up godown, since the unit for which the petitioner tendered application is required to be operated in difficult rural area. The requirement for establishing a show room is dispensed with for said category, the godown for storage of LPG cylinders shall be located at approximate distance. Clause 'B' of paragraph No.18 contained in the guidelines issued by the Petroleum Company reads thus:-

“ (b) During the FVC process, in case land mentioned by the applicant for godown/showroom in his application is found not meeting the eligibility conditions/requirements as

stipulated in the advertisement/brochure/application form and if the applicant is having any alternate land in his name/member(s) of the family unit as per the definition of family unit for land of the applicant with date of registration of sale/lease on or before the last date for submission of application as specified either in the advertisement or corrigendum (if any), the same can be considered at the time of FVC. However, the same if considered has to be duly verified for its suitability during the FVC. In case at the time of FVC, it is found that the all weather motorable road providing access to the Godown land is not available and if the candidate expresses his/her inability to ever provide the same, the candidate can offer an alternate land meeting the eligibility criteria. Such alternate land if considered has to be duly verified during the FVC for its suitability for providing LPG godown and showroom facility as mentioned herein above. "

5 Since the petitioner does not fulfill the requirement laid down by the petroleum Company in respect of providing for land for setting up godown, the decision rendered by the respondent Company, rejecting the candidature of the petitioner does not appear to be erroneous or illegal. There is no merit in the petition. Petition stands dismissed.

(K.K. SONAWANE, J)

(R.M. BORDE, J)