

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

WRIT PETITION NO.5250 OF 2018

Nikhil Kashinath Salgonda

..Petitioner

Versus

Indian Oil Corporation Ltd., and another

..Respondents

Mr. Umesh H. Pawar, Advocate for the Petitioner.

Mr. Sunil Gangan a/w Mr. Jayesh Mestry I/by RMG Law Associates, Advocate for the Respondents.

CORAM : B. R. GAVAI &

M. S. KARNIK, JJ.

DATE : 4th SEPTEMBER, 2018

P.C.

1] The Petitioner has approached this Court being aggrieved by the cancellation of the selection of the Petitioner for LPG dealership. The Petitioner was shortlisted for allotment of the LPG dealership in remote area (Durgam Kshetriya Area) for village Borgaon, Taluka Akkalkot, District Solapur. However, on spot verification, it was found that the land belonging to the Petitioner was not situated in the Borgaon village and as such, allotment was cancelled.

2] Learned counsel for the Petitioner submits that there is a discrimination in the policy of the Respondents. It is submitted that

in so far as the city areas are concerned, it is permissible that the godown can be situated within area of 15 kilometers. However, for difficult areas, the godown has to be in the same village.

3] Undisputedly, the Petitioner's premises is not in the village for which advertisement was published for. In so far as the discrimination is concerned, in the city area, it is difficult to have a godown in the city area and therefore the policy provides a godown within a radius of 15 kilometers from the location offered in the city. However, in so far as the the village areas are concerned, the location of the godown has to be within the area of village concerned, the purpose of providing for LPG dealership in the village is that the residents of the villages are provided with the facility without any delay.

4] As such, it cannot be said that there is no nexus with the policy of having godowns in the same village. We do not find that case is made out for interference. The Petition is therefore dismissed.

[M. S. KARNIK, J.]

[B. R. GAVAI, J.]