

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

**901 REVIEW APPLICATION (CIVIL) NO.57 OF 2019
IN WP/9931/2018**

**SANJAY BANSILAL PAREKH
VERSUS
THE UNION OF INDIA AND OTHERS**

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Advocate for Applicant : Mr. S.K. Shinde
AGP for Respondent/State : Mr. A.M. Phule
Advocate for Respondents 2 to 4 : Mr. A.P. Bhandari

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**CORAM : T.V. NALAWADE AND
SUNIL K. KOTWAL, JJ.
DATED : 18/04/2019.**

ORDER :

1. The application is filed for review of the order made by this Court on 21.2.2019 in Writ Petition No. 9931/2018. Heard the learned counsel for applicant.

2. The aforesaid petition was filed by the present applicant for giving direction to respondent oil company to allot the retail outlet, petrol pump at site Wadgaon Pan, District Ahmednagar as per advertisement dated 15.9.2000. This Court dismissed the proceeding and gave direction to the company to start fresh process of selection in respect of the said retail outlet, petrol pump as on ad-hoc basis the company was giving site to third party and that was continued from the year 2008. The petitioner had come to this Court in the year 2018. The person to

whom the allotment was made could not get the relief after cancellation of his allotment even from the Supreme Court and then the ad-hoc arrangement was made by the oil company from the year 2008. In view of those circumstances, this Court has given direction to the company to see that practice of giving of retail outlet on ad-hoc basis is stopped as it was being done for more than 10 years. The circumstance that the petitioner came late to this Court and as he has not challenged the allotment of the retail outlet made in favour of the candidate who was at Sr. No. 1, the order of aforesaid nature was made.

3. The learned counsel for applicant placed reliance on some observations made by the Apex Court in the cases reported as (2010) 9 SCC 291 [Moumita Poddar Vs. Indian Oil Corporation Limited and Anr.] and (2010) 6 SCC 574 [Monika Gupta Vs. Union of India and Ors.]. The facts of those cases were totally different and peculiar facts of the present case were already quoted by this Court. In view of the aforesaid circumstances, this Court holds that the relief claimed of giving direction now does not lie within the scope of review proceeding. The proceeding stands dismissed.

[SUNIL K. KOTWAL, J.]

[T.V. NALAWADE, J.]

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