

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

126 WRIT PETITION NO.12043 OF 2019

ROHIT VITHAL GUNJAL
VERSUS
HINDUSTAN PETROLEUM CORPORATION LTD THROUGH ITS
REGIONAL OFFICER

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Mr. S.K. Shinde, Advocate for the petitioner.
Mrs. Anjali Dube (Bajpai), Advocate for respondent No.1.

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CORAM : S.V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.

DATE : 3 December 2019.

ORDER :-

. Mr. Shinde, learned Counsel for the petitioner submits that the land offered by the petitioner for retail outlet is 74.69 Sq. Mtr. in frontage and 57.16 Sq. Mtr. in depth, total 4269.28 Sq. Mtr. As per the advertisement, the land required was 45 x 45 Mtrs., total area 2025 Mtr. The land offered by the petitioner was in excess. Learned Counsel submits that rejection of the petitioner's candidature from Group-I was on the ground that the land abutting the State Highway should have required dimension after leaving right of away. The advertisement does not mention the said fact. On the very next day the petitioner offered adjacent land the petitioner is

possessing. The respondents cannot rely on faulty advertisement. Alternate land offered by the petitioner was also required to be considered by the respondents.

2. Smt. Dube, the learned Advocate for the respondent submits that the brochure prescribes the required dimension of the land after leaving right of way, line of the road. The same is clarified in the guidelines of 2018 also.

3. We have considered the submissions.

4. The terms of contract cannot be re-written by the Court. The brochure prescribes that the offered land should be of the required dimension and abutting the road boundary, after leaving right of way, line of the road. As per the said clause, leaving the right of way, the land offered by the petitioner is having depth of 30 x 39 Mtr., though frontage is as required.

5. In view of the above, it will not be possible for this Court to intervene in exercise of its writ jurisdiction.

6. Writ Petition, as such, stands disposed of. No costs.

(AVINASH G. GHAROTE, J.)

(S.V. GANGAPURWALA, J.)