

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (L) NO. 2287 OF 2018

Santosh Sadashiv Jadhav

.. Petitioner

Versus

Bharat Petroleum Corporation Ltd & Ors. .. Respondents

.....
• Mr. Bhushan Walimbe for the Petitioner
.....

CORAM : AKIL KURESHI &
S.J. KATHAWALLA, JJ.

DATE : AUGUST 7, 2019.

P.C.:

1. The petitioner is aggrieved by the decision taken by respondent No. 1 - Bharat Petroleum Corporation Ltd rejecting the petitioner's candidature for granting licence for operating retail outlet. Learned counsel for the petitioner would point out that way back in the year 2012, the respondents have conveyed to the petitioner that he stands at Sr. No. 1 in the list prepared by the respondents for the purpose of such outlet which was reserved for handicapped candidate. Subsequently, his candidature was rejected on the ground that he had not produced supporting documents. Learned counsel submitted that such documents were not

produced along with the application, however, subsequently such documents were provided. The respondents ignored such documents and also ignored the petitioner's representations.

2. The facts, however, remain that the petitioner had not produced such documents along with application itself and more importantly, the first of the decisions of the respondents came to be conveyed to the petitioner far back on 21.8.2014. Subsequently, his review petition also came to be dismissed on 7.11.2014. Thereafter, till filing of the petition, sometime in January 2018, the petitioner merely went on making representations and requesting the authorities to change its decisions. There was thus total inaction on the part of the petitioner for more than three years after the decision was communicated by the authorities. There is no explanation for such inordinate inaction and delay on the part of the petitioner. Only on that ground, we are not inclined to entertain the petition.

3. At this stage, learned counsel for the petitioner submitted that the authorities have not so far advertised the distributorship again. Though there were only two candidates at the relevant time and the candidate other than the petitioner has not pursued his application. Since the only ground on which the petitioner's candidature came to be rejected that he had not produced the supporting documents, we see no impediment in the petitioner applying afresh if and when the respondents advertise the same distributorship in future. With these observations, the petition is disposed of.

[S.J. KATHAWALLA, J.]

[AKIL KURESHI, J]