

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.802 OF 2015

Dattatray Eknath More .. Petitioner

Vs.

The State of Maharashtra & Ors. .. Respondents

...

Mr. Rajesh Dharap with Mr. Freddy Bhadha and Ms. Anoushka Goyal i/b Vishwajeet S. Kapse for the Petitioner.

Mr. M.M. Pabale, A.G.P. for Respondent Nos.1 and 2.

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**CORAM: PRADEEP NANDRAJOG, C.J. &
SMT. BHARATI DANGRE, J.**

DATED : 04th FEBRUARY, 2020.

P.C:-

1. Regretfully, in spite of Respondent No.3 : Indian Oil Corporation being served twice, we find no representation made by Respondent No.3.

2. There is no traverse to the pleadings even by Respondent Nos.1 and 2. Thus we are inclined to dispose of the Writ Petition treating the averments made to be correct which even otherwise

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have been made good with reference to the various exhibits accompanying the Writ Petition. All the exhibits are documents of the Government or Indian Oil Corporation. Their authenticity is not in doubt.

3. The case pleaded by the Petitioner with reference to Ex-B which is a 7/12 revenue extract is that land comprised at Gat No.29/2C, Village Nagapur, District Nashik, admeasured 1 Hectare and 55 Ares.

4. Ex-C, a revenue document shows that aforesaid land was acquired for the benefit of Indian Oil Corporation to set up a terminal project.

5. Ex-A establishes that at a meeting held on 27th December, 2000 Indian Oil Corporation agreed to provide employment to one family member of the family whose agricultural land in excess of 60 Ares was acquired.

6. Ex-E is the response of Indian Oil Corporation to a query under the Right to Information Act, dated 6th September, 2007 admitting that Indian Oil Corporation gave employments to one member of the families whose agricultural land in excess of 60 Ares was acquired.

7. Ex-D dated 07th November, 2005 establishes that the Petitioner's mother nominated the Petitioner as the one who should be given employment by Indian Oil Corporation.

8. The case of the Petitioner is simple. He is entitled to be given employment by Indian Oil Corporation because of the policy decision taken in the meeting dated 27th December, 2000.

9. The facts not being traversed and even otherwise made good with reference to the documents of the Government and Indian Oil Corporation, we dispose of the Petition issuing a mandamus to Indian Oil Corporation to grant employment to the Petitioner at a post commensurate to the qualifications which the Petitioner possess and as required by the post to be offered.

10. Along with an authenticated copy of the present order, the Petitioner would once again submit an Application to Respondent No.3 and along with the Application would submit his bio-data with enclosures in proof of the educational and/or technical qualification, if any, obtained by the Petitioner.

11. The Petitioner having filed the Petition in the year 2015 when he was aged 30 years would be granted benefit of age relaxation for the reason we note that in the information provided by Indian Oil Corporation under the Right to Information Act it

has been mentioned that the age-limit prescribed for employment is 32 years.

12. Within six weeks of receipt of the Application from the Petitioner, necessary employment order would be issued by Respondent No.3.

(SMT. BHARATI DANGRE, J.)

(CHIEF JUSTICE)