

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

981 WRIT PETITION NO.2283 OF 2020

**AMOL GAUTAM KHANDAGALE
VERSUS
HINDUSTAN PETROLEUM CORPORATION LTD THROUGH ITS
CHIEF REGIONAL MANAGER AURANGABAD AND ANOTHER**

...

Advocate for Petitioner: Mr. Savale Amit S

Advocate for Respondents:

Smt. Anjali Bajpai Dube

...

**CORAM: S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.**

DATE: 18th MARCH, 2021

PER COURT:

1. Mr. Savale, learned Counsel for the petitioner submits that the petitioner was selected for the award of retail outlet. The land offered by the petitioner was not accepted on the ground that there is a dispute and litigation is pending. The petitioner subsequently gave another land, the same is also not accepted on the ground that it is on a National Highway. The learned Counsel submits that the petitioner is ready to offer alternate land, no prejudice would be caused

to the respondents. The opportunity can be given by the respondents.

2. Smt. Dube, learned Counsel for the respondents submits that the opportunity was given to the petitioner. Alternate land suggested by the petitioner was on a National Highway. It was not that after the alternate land was suggested by the petitioner the said highway was converted into National Highway.

3. We have considered the submissions canvassed by the learned Counsel for respective parties.

4. Admittedly, the land shown by the petitioner along with application was not suitable land as it was under litigation. The petitioner was given opportunity to give alternate land. The petitioner gave alternate land on 08.05.2019. The said alternate land given was also not appropriate land as it was on a National Highway. The State Highway was converted into National Highway on 03.01.2017 and the petitioner suggested that land on

08.05.2019. It is not the case that the petitioner was not given any opportunity. The petitioner would not get the vested right. It is only for the respondents to assess the suitability of the land for the retail outlet.

5. In view of above, no interference called for.

6. Writ Petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.]

[S. V. GANGAPURWALA, J.]

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