

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

**927 CIVIL APPLICATION NO.8862 OF 2021
IN WP/6620/2020**

**MAHADEV S/O RAMU MOTIPAWALE
VERSUS
M/S. GURU PETROLEUM THROUGH ITS PROPRIETOR & ORS**

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Advocate for Applicant : Mr. P P More.
Advocate for Respondent No.1 : Mr. S. V. Dixit.
Advocate for Respondent Nos.2 to 4 : Mr. A. P. Bhandari.

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**CORAM : RAVINDRA V. GHUGE, AND
S. G. MEHARE, JJ.**

DATE : 07.09.2021

PER COURT :-

1. We have heard the learned advocate for the applicant and we have perused the grounds set out. He prays for leave to intervene in Writ Petition No.6220 of 2020. The said petition has been filed by the retail outlet dealership, which is aggrieved on account of the suspension of supply due to certain deficiencies.

2. The applicant submits that he was the complainant who exposed the deficiencies. He was also one of the competitors of the petitioner for securing the dealership. Despite his

proposal being in order, he was not granted the dealership and the petitioner, whose proposal suffered from deficiencies, was the beneficiary.

3. It is undisputed that the applicant can approach the petroleum company for the redressal of his grievance to the extent that he finds himself to be eligible and that he should have been granted the dealership.

4. The petitioner is before us, as against an order of suspension of his supplies due to five deficiencies set out in the impugned order dated 04.07.2020. Even if, the applicant seeking intervention may have been a complainant, who indicated the deficiencies pertaining to the toilet and the house keeping of the dealership, we do not find that the said applicant / complainant would be a necessary party to this petition and in the absence of whom, the petition cannot be decided or if the petition is decided, the rights of the applicant would be affected without hearing him. If he desires to complain, he may do so under the appropriate rules of the petroleum company.

5. Since none of the above requirements are fulfilled, we do not find that the applicant is a necessary party to the petition. The Civil Application is, therefore, rejected.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

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vmk/-