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

908 WRIT PETITION NO.3761 OF 2020

INDUMATI UTTAM JAGDHANE
VERSUS
THE UNION OF INDIA AND OTHERS

...

Mr S. B. Bhakriya, Advocate h/f Ms. Fatema S. Kazi, Advocate
for petitioner;
Mr D. G. Nagode, Standing Counsel for respondent No.1;
Mr A. P. Bhandari, Advocate for respondent No.2;
Mr S. B. Yawalkar, A.G.P. for respondent No.3

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

DATE : 8th December, 2021

PER COURT:

1. On 25/10/2021, on a statement made by the learned Advocate for the petitioner, we had passed the following order :-

“1. The learned Advocate for the petitioner repeatedly submits that the petitioner (litigant) wants to engage a senior counsel.

2. Considering the request, stand over to 22/11/2021. It be noted that the pendency of this petition would not amount to granting any relief to the petitioner.”

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2. On 22/11/2021, no Senior Advocate appeared and the matter was adjourned as the learned Advocate for the petitioner suffered a personal bereavement.

3. Today, the learned Advocate Shri. Bhakriya submits that he is holding for the learned Advocate for the petitioner and submits that he is not ready.

4. We have perused prayer clauses (B) and (C), put forth by the petitioner, which read as under :-

“B) By issuing writ of mandamus or any other writ or direction in like nature, the respondents be directed to consider the case of the petitioner and allot dealership of HPCL Petrol Pump in name of petitioner or her sons namely Sachin s/o of Uttam Jagdhane and Anand s/o Uttam Jagdhane.

C) Pending hearing and final disposal of this Writ Petition, the respondents be directed to consider the case of petitioner as a special case and allot dealership of Petrol Pump forthwith.”

5. The learned Advocate appearing on behalf of the Hindustan Petroleum Corporation Ltd., Respondent No.2, submits that the petitioner has not even applied pursuant to any advertisement,

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thereby giving the Company an opportunity to consider such an application for allotment of Retail Outlet Dealership. Without applying to the Company, this petition is straightaway filed in this Court.

6. We appreciate the submission made by the learned Advocate for the Company. This Court would not step into the shoes of the Company to entertain the application for grant of R.O. Dealership. There is a specific procedure laid down for applying for allotment of such dealership, which can be followed by the petitioner.

7. This petition, being devoid of merits is, therefore, dismissed.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

sjk