

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 2773 OF 2019
WITH
REVIEW PETITION NO. 16 OF 2022
IN
WRIT PETITION NO. 8753 OF 2018**

Bharat Petroleum Corporation Ltd & Anr.

.. Petitioners

Versus

Shailaja R. Khanvilkar & Ors.

.. Respondents

.....

Mr. Cyrus Ardeshir a/w Roop Basu and Ms. Harsha Asnani i/by The Law
Point for the Review Petitioners

Mr. Venkatesh Dhond, Senior Advocate a/w Mr. Saket Mone and Mr.
Subit Chakrabarti i/by Mr. Abhishek Prabhu for the Respondents

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**CORAM : S.J. KATHAWALLA &
MILIND N. JADHAV, JJ.**

DATE : MARCH 17, 2022

P.C.:

. Heard the learned Advocates appearing for the parties.

2. Perused the Interim Application No. 2773 of 2019. For the reasons
stated therein, delay of 16 days in filing the Review Petition is condoned. The
Interim Application is disposed of.

3. It is stated on behalf of the Petitioners that in paragraph 12, page 20 of
the Judgment dated 30.09.2019 passed in Writ Petition No. 8753 of 2018, it is
erroneously recorded that "It is an admitted position that there is no rationale
and / or basis provided for the percentage stipulated by BPCL in the

Impugned Circular". Mr. Cyrus Ardeshir, the learned Advocate appearing for the Petitioners states that he seeks deletion of the said sentence because the Petitioner - BPCL has not admitted that there is no rationale and / or basis in the impugned circular.

4. The Petitioner - BPCL is incorrect in interpreting the said sentence and we make it clear that we have not recorded that BPCL has admitted that there is no rationale and / or basis provided for the percentage stipulated by BPCL in the Impugned Circular. We clarify that what we had stated was that the "admitted position is that in the impugned circular, there is no rationale and / or basis **provided for the percentage stipulated by BPCL**". We clarify that this is our observation. With this clarification, the above Review Petition is disposed of.

[MILIND N. JADHAV, J.]

[S.J. KATHAWALLA, J.]