

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

905 WRIT PETITION NO.1485 OF 2023

SWARAJ PETROLEUM SERVICES
VERSUS
THE STATE OF MAHARASHTRA & OTHERS

...
Advocate for the petitioner : Mr.S.J.Salunke
AGP for Respondent-State : Mr.S.P.Tiwari
Advocate for Respondent no.3-6 : Mr.P.D.Suryawanshi
Advocate for the respondent no.8 : Mr.A.P.Bhandari
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CORAM : ARUN R. PEDNEKER, J.

DATE : 14.02.2023

P.C. :

1] The petitioner is challenging the judgment and order dated 24.02.2022 passed by the respondent no.2 – Collector – District Magistrate, Beed, thereby dismissing the objections raised by the petitioner to the ‘No Objection Certificate’ issued by the Village Panchayat, Massaaajog, Tq. Kaij, District Beed to the proposed petrol pump allotted to the respondent no.9 by the respondent no.8 i.e. the Indian Oil Corporation Ltd.

2] It is the contention of the petitioner that the petitioner is running a retail outlet of Hindustan Petroleum at Gat No. 80/1 of Masajoga, Taluka Kaij, District Beed. The Indian Oil Company has granted permission to open retail outlet to the respondent no.9 in the same Gat number. The Indian Oil Company ought not to have granted permission to open the retail outlet in favour of the respondent no.9 as the same is very close to the petrol pump of the petitioner. It is further the contention of the petitioner that no objection certificate granted in favour of the respondent no. 9 is without any basis.

3] The petitioner is running a retail outlet dealership of Hindustan Petroleum. The petitioner is not able to show or demonstrate as to how the permission can be denied to the respondent no.9. After satisfying all legal norms, the Indian Corporation can grant dealership license to any person for their choice. There is no requirement that the petrol pump dealership of different companies are required to be separated by minimum distance criteria.

4] In view of the same, I do not see any reason to interfere with the order, granting no objection certificate in favour of the respondent no.9. Accordingly, the present Writ Petition is dismissed.

[ARUN R. PEDNEKER]
JUDGE

DDC