

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

965 WRIT PETITION NO.14203 OF 2018

SYED MUNIR ALI SYED MOHMMAD ALI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr P.P. Khandagale Patil
AGP for Respondent Nos. 1 to 3 : Mr S.B. Yawalkar
Advocate for Respondent No. 4 : Mr S.S. Patnurkar

**CORAM : MANGESH S. PATIL AND
S.G. CHAPALGAONKAR, JJ.**

DATE : 02-03-2023

PER COURT :

1. We have heard both the sides finally.
2. The petitioner runs the workshop for repairing electronic meters fitted to the Auto Rickshaws. His grievance is that though the respondent No.4 is a manufacturer of such meters is empanelled by road transport authorities, it is not providing necessary facilities for imparting training to the persons like petitioner. Such meters manufactured by the respondent No.4 can be repaired only by one entity authorized by it thereby monopolizing the business.
3. Though it is a matter of fact, as can be seen from the papers that while switching over from digital to electronic meters fitted to the Auto Rickshaws, the road transport authorities have recognized 11 manufacturers and only the meters manufactured by those entities are allowed to be fitted.

4. Assuming for the sake of argument that the respondent No.4 is an authorized entity/manufacture of the meters which can be fitted to the Auto Rickshaws , there is no privity between the petitioner and either the road transport authorities or the respondent No.4. The petitioner's grievance that respondent No.4 is not providing training to him from undertaking the repairs of the electronic meters manufactured by it is emotional. He has no legal right which this Court can enforce against the respondent No.4.

5. We have every reason to believe that going by the Article 12 of the Constitution of India, no such mandamus can be issued against the respondent No.4.

6. The writ petition is dismissed.

[S.G. CHAPALGAONKAR, J.]

[MANGESH S. PATIL, J.]

mta