



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.7649 of 2019

Mr. Madhav S/o Chandrakishor Deshmukh Versus Ministry of Petroleum and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.

Court's or Judge's order

Smt. Smita V. Taksande, Counsel for Petitioner.
Shri V.V. Bhangde, Counsel for Respondent No.3.
Shri S.S. Sanyal, Counsel for Respondent No.4.

CORAM : A. S. CHANDURKAR AND MRS. VRUSHALI V. JOSHI, JJ.

DATE : 9th OCTOBER, 2023.

1. The petitioner challenges the rejection of his application seeking allotment of retail outlet dealership pursuant to the advertisement issued by the third respondent. The rejection is on the ground that on the date of the application which was 23-12-2018 the petitioner failed to submit his Other Backward Category certificate since that was the category in which he had sought allotment of the retail outlet dealership. According to the petitioner, he was in possession of the caste certificate dated 30-2-2002 and since it was sought to be renewed, its copy was not submitted alongwith the application form. It is further pointed out that this certificate was renewed on 25-2-2019 and thus on the date of the application the status of the petitioner as a member of the Other Backward Class was in existence.
2. According to the respondent No.3- Corporation, in view of the terms and conditions mentioned in the application, it was necessary to submit all relevant documents alongwith the application itself. The date mentioned in the application was to be treated as the date applicable for the purpose of evaluating the eligibility criteria. Since the petitioner sought dealership in the Other Backward Class category and such certificate was not submitted alongwith the application form, the same was rejected on 24-9-2019.
3. Having heard the learned counsel for the parties and having perused the documents on record, we find that undisputedly the petitioner did not submit any certificate indicating that he belonged to the Other Backward Class category alongwith the application dated 23-12-2018. The contention that the petitioner

was possessing such certificate dated 30-2-2002 which was thereafter renewed on 25-2-2019 is of no assistance to the petitioner since admittedly copy of such certificate was not submitted alongwith the application form. For this reason, the rejection of the petitioner's application is in accordance with the terms and conditions mentioned in the advertisement.

4. There is no case made out to interfere in writ jurisdiction. The writ petition is dismissed with no order as to costs.

(MRS. VRUSHALI V. JOSHI, J.)

(A. S. CHANDURKAR, J.)