



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7414 OF 2024

SURESH VISHWNATH WAGH
VERSUS
UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

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Advocate for the Petitioner : Mr. Dhananjay A. Mane
AGP for the Respondents/State : Mr. S.K. Tambe
Advocate for the R/4 : Mr. A.P. Bhandari

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CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRAGADE, JJ.

DATE : 25th September, 2024

PC. :-

1. The Petitioner has put-forth prayer clause-B and C as under:

“B] This Writ Petition may kindly be allowed and impugned communication dated 11.05.2024 issued by the Respondent-Indian Oil Corporation Ltd., may kindly be quashed and set aside and the Respondents Authorities may kindly be directed to award RO Dealership at Jawakheda Khalsa Primary Health Sub Centre, towards Miri on Miri-Tisgaon Road (MDR), Tq. Pathardi, Dist. Ahmednagar pursuance to the advertisement dated 28.06.2023 in favour of the petitioner.

C] Pending hearing and final disposal of the writ petition, further process of award of Jawakheda Khalsa Primary Health Sub Centre, towards Miri on Miri-Tisgaon Road (MDR), Tq. Pathardi, Dist. Ahmednagar may kindly be stayed.”

2. We have heard the learned advocates for the respective sides.

It is undisputed that the land of the Petitioner, which is shown for the grant

of RO dealership, is not within the scheme published under the advertisement. In short, the land is not available at the location at which the Respondent-Company desires to establish a dealership. In these circumstances, this Petition cannot be entertained.

3. The learned advocate for the Petitioner indicates from Clause-4 (vi) (Group-3) that if the lands offered by all the Applicants in Group-1 and Group-2, are not found to be suitable or do not meet the requirements of the Company, the case of the Petitioner may be considered in Group-3.

4. The learned advocate for the Company promptly indicates that Group-3 is restricted only for locations advertised under the SC/ST category and no such location has been advertised, in as much as, the Petitioner does not belong to any backward category. Even if he was belonging to a backward category, the location for SC/ST category has not been advertised.

5. In view of the above, **this Writ Petition is disposed off.**

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]