



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

WRIT PETITION NO.2636 OF 2018

Anjana Mallikarjan Mane ..Petitioner

Vs.

The Manager, Bharat
Petroleum Corporation Ltd, & Ors. ..Respondents

**WITH
INTERIM APPLICATION NO.4748 OF 2023**

IN

WRIT PETITION NO.2636 OF 2018

Niranjan Laxman Ganatil ..Applicant

Vs.

The Manager, Bharat
Petroleum Corporation Ltd, & Ors. ..Respondents

**WITH
INTERIM APPLICATION NO.4746 OF 2023**

IN

WRIT PETITION NO.2636 OF 2018

Mahesh Advyappa Padawale ..Applicant

Vs.

The Manager, Bharat
Petroleum Corporation Ltd, & Ors. ..Respondents

**WITH
INTERIM APPLICATION NO.4747 OF 2023**

IN

WRIT PETITION NO.2636 OF 2018

Shivanand Shamrao Kurmutte ..Applicant

Vs.

The Manager, Bharat
Petroleum Corporation Ltd, & Ors. ..Respondents

**WITH
INTERIM APPLICATION NO.4749 OF 2023**

IN

WRIT PETITION NO.2636 OF 2018

Nagesh Mhalappa Mane ..Applicant

Vs.

The Manager, Bharat
Petroleum Corporation Ltd, & Ors. ..Respondents

Mr. Sharad Bhosale i/by. Ms. Jeevandatta Argade for the Petitioner.
Mrs. Anjana M. Mane, Petitioner present in Court.
Mr. S. R. Page a/w. Ms. Ruchi Umrotkar for Respondent No.1.
Mr. S. P. Shetye, AGP for Respondent Nos.2 & 3-State.

**CORAM : A. S. CHANDURKAR &
JITENDRA JAIN, JJ.**

DATE : 19th MARCH 2024.

P.C.:

1. Heard.
2. The challenge raised in the present writ petition is to the process conducted in the matter of draw of lots for allotment of LPG dealership at Huljanti, Taluka Mangalwedha, District Solapur on 26th December 2017.
3. It is the case of the Petitioner that she along with 45 other candidates had participated in the draw of lots for allotment of said dealership. When the said lots were drawn, there was no result displayed on the screen for about one minute. As the name of the successful applicant was not displayed, the official's tried to re-play the entire list but the said process was not successful. At a subsequent point of time, the status as indicated was "draw successful" and the Petitioner's name was displayed. On the complaints made by various participants that the draw had not been conducted properly, the

Members of the Industry had a discussion and were of the view that since the process of draw of lots had not been completed in public view and as the name of the successful candidate was not displayed on the screen after processing, it was decided by the Members of the Industry not to treat the draw as valid and recommendation was made for fresh draw of lots. According to the Petitioner, since her name was displayed after about one minute from the pressing of the button it was not permissible for the Members of the Industry to cancel the process and seek a re-draw.

4. We have heard the learned counsel for the parties and perused the documents on record.

5. At the outset, it may be stated that the Petitioner does not allege any malafides or favourtism against the Respondent No.1 as the reason for conducting the re-draw. It is seen that the re-draw was held on 3rd March 2022 in which the Petitioner also participated but was not successful. Be that as it may, we do not find that there is any material on record to hold that the cancellation of draw of lots is either illegal or arbitrary. The decision taken is in view of the complaints received from participants present coupled with the fact that for about a minute, there was no result displayed on the screen after the draw button was pressed. This exercise cannot be said to be either arbitrary and irrational. The Respondent No.1 is entitled to some play in joints while conducting the

draw of lots. Interfering with the decision of having a fresh draw would only mean substitution of one view with the other.

6. In view of this, we are not inclined to interfere in exercise of writ jurisdiction. The writ petition stands dismissed. The interim applications are also disposed of.

(JITENDRA JAIN, J.)

(A. S. CHANDURKAR, J.)