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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

921 WRIT PETITION NO. 748 OF 2025

NAGESH DATTARAO DHANDE

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE DISTRICT
COLLECTOR AND ANOTHER

Mr.A.D.Raut, Advocate for the petitioner.
Mr.S.V.Hange, AGP for the respondent/State.

(CORAM : MANGESH S. PATIL AND
PRAFULLA S. KHUBALKAR, JJ.)

DATE : JANUARY 16, 2025

PER COURT :

1. Heard the learned advocate for the petitioner extensively.
2. The petitioner, who had applied for RO dealership pursuant to the advertisement published by respondent No.2, Indian Oil Corporation for Rural RO location.
3. His candidature has been rejected by the impugned communication on the ground that the land offered by him falls on a National Highway and a Rural RO could not be established at the

location.

4. The learned Advocate for the petitioner made several submissions, however, he could not dispute the fact that the petitioner had applied pursuant to the advertisement for setting up a Rural RO. The guidelines applicable have also been placed on record by the petitioner himself in the form of brochure for selection of dealers wherein in clause no.1 sub clause 2, it has been expressly mentioned that location for setting up a retail outlet at Rural Ros', can not be on highways (NH/SH).

5. The learned Advocate for the petitioner could not demonstrate as to how the ground for rejection of his offer is factually incorrect or is not sustainable on the guidelines applicable

6. When admittedly, the location advertised was for setting up Rural RO, when the land of the petitioner is admittedly on a National Highway, following the guidelines contained in the brochure dated 24.11.2024, no fault can be found with the decision under challenge.

7. Though the learned Advocate for the petitioner mentions by referring to the pleadings that the National Highway has been declared subsequent to the advertisement, it will not change the fact situation and would not be a ground for deviating from the guidelines. Though unfortunate for the petitioner, the intervening development since publication of the advertisement, would not make him eligible.

8. The petition is dismissed.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)