



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.3770 OF 2024

Ashish Omprakash Parihar Lodhi

..Petitioner

Vs.

Bharat Petroleum Corporation Ltd.

..Respondent

Mr.H.I.Pathan, Advocate for petitioner

Mr.A.P.Bhandari, Advocate for respondent nos.1 and 2

**CORAM : R.G.AVACHAT AND
SANDIPKUMAR C. MORE, JJ.
DATE : APRIL 15, 2025**

ORDER :-

Heard.

2. The petitioner, pursuant to the advertisement dated 28.06.2023, applied for a retail dealership. The dealership has been allotted to respondent no.3. The petitioner claimed to have learnt the same only when he approached respondent no.1, so as to know about the status of his application. According to the petitioner, although the application was filled from Group-2, the documents accompanying the application indicate the petitioner to have submitted application for Group-1.

3. Learned counsel for the petitioner would submit that the petitioner provided a copy of the lease-deed for a period, as was required in terms of the brochure. The petitioner would, therefore, be from Group-1. According to him, the Officers of respondent no.1 ought to have scrutinised each and every documents filed along with the application and determined the Group of the petitioner. He would further submit that the Officers of respondent no.1 even did not visit the land of the petitioner to find whether it was fit or suitable. It was further submitted that in the family of respondent no.3, one outlet has already been granted. He has been favoured. The location offered by respondent no.3 was exactly opposite the location offered by the petitioner and as was required in terms of the advertisement. Learned counsel, therefore, urged for allowing the Writ Petition.

4. We need not turn to the submissions advanced on behalf of respondent no.1. Our attention has been adverted to the Clause 9 of the application, which speak of a group from which the concerned applicant proposed to apply. The petitioner herein, admittedly, applied from Group-2. In view of clauses 'E', 'F' and 'G' of Item 14H of the brochure, the applications from Group-1 are considered with priority. If there is no applicant from Group-1, then and then only, the applicants from Group-2 are to be considered.

5. In our view, the petitioner shall blame himself. He applied from Group-2 category; whereas, respondent no.3 applied from Group-1 and found to have complied or satisfied with all the requirements for allotment of the retail outlet. In this view of the matter, we find no merit in the petition. The petition, therefore, stands dismissed.

[SANDIPKUMAR C. MORE, J.]

[R.G. AVACHAT, J.]

KBP