

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1777 OF 2024

Seema Sanjay Sable

...Petitioner

Versus

Indian Oil Corporation Ltd. And Anr

...Respondents

Mr. Nilesh Wable i/b Umesh Mankapure, for the Petitioner.

CORAM : G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.

DATE : 01 APRIL 2025

P.C.:

1. This writ petition is filed under Article 226 of the Constitution of India praying for the following substantive relief.

"This Hon'ble Court be pleased to issue writ of mandamus or any other writ in the nature of mandamus be pleased to quash and set aside the impugned order dated 23rd November 2023 (Exhibit "F" hereto) passed by the Respondent No.2 and further direct the Respondents to allow the Petitioner to participate in the further selection process of R.O. dealership between Gardi Bus Stop and Mahatma Gandhi Vidyalay (Mahuli) on right side of NH 160 while going from Gardi to Mahuli, District: Sangli under Scheduled caste category on 28th June 2023;"

2. We have perused the reasons as set out in the impugned communication dated 23 November 2023 that the petitioner's application for allotment of the retail outlet dealership has been rejected on the ground that the petitioner did

not submit the initial security deposit as mandated under Clause 20 of the brochure for Selection of Dealers for Regular and Rural Retail Outlets.

3. Learned counsel for the petitioner submits that soon after such decision dated 23 November 2023 was communicated to the petitioner, this petition came to be filed on 6 December 2023. His contention is that the said Brochure in Clause 18 provides for the Grievance Redressal System and the petitioner would intend to now invoke the grievance redressal mechanism.

4. Considering peculiar facts and circumstances of the case to agitate the petitioner's contentions as urged in the present petition, the petitioner could apply to the competent authority.

5. Having heard learned counsel for the petitioner we are of the opinion that the suggestion as made by the petitioner is fair. We permit the petitioner to make his grievance before the competent authority as contemplated under Clause 18.

6. We are accordingly inclined to dispose of this petition by the following order.

ORDER

- (i) The petitioner is directed to file an application before the competent authority of respondent no. 1 within a period of three weeks from today.
- (ii) Such application shall be entertained, and shall not be rejected on the ground of limitation for the reasons that the petitioner was bonafide pursuing the present proceedings.

(iii) The petitioner be granted hearing and the reasons on the petitioner's application/complaint be accordingly informed to the petitioner.

(iv) All contentions of the parties are expressly kept open.

(v) The writ petition is disposed of in the aforesaid terms.

No costs.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]