

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 3225 OF 2025
IN
WRIT PETITION NO. 14959 OF 2024**

Nikita Petrochem OPC Pvt. Ltd & Anr.

...Applicants

Versus

Principal Secretary Food and Civil Supply & Ors.

...Respondents

**WITH
WRIT PETITION NO. 14959 OF 2024 (NOB)**

Mr. Shriram Kulkarni a/w Sachin Chavan and Nachiket Kulkarni for the Applicants/Petitioners.

Ms. S. D. Vyas, Addl.GP a/w Aditya Deolekar, AGP for Respondent Nos.1 to 7.

Mr. Manoj Harit a/w Saloni Dhawale i/by Manoj Harit & Co. for Respondent No.8.

**CORAM : M.S. Sonak &
Advait M. Sethna, JJ.**

DATED : 14 November 2025

P.C.:-

1. Heard learned counsel for the parties.
2. The learned counsel for the newly impleaded 8th Respondent tenders reply of which a copy has been just served upon Mr. Kulkarni learned counsel for the Petitioners.

3. Mr. Kulkarni, learned counsel for the Petitioners, on instructions, states that for the present, the Petitioners would be satisfied if their representation dated 10 January 2023 and a supplementary representation which the Petitioners will file with the Collector within 15 days from today are disposed of in accordance with law and on their own merits after hearing the Petitioners and 8th Respondent.

4. Mr Kulkarni explains that the Petitioners, before commencing their activity of dealing in Light Diesel Oil (LDO) and Light Petroleum Oil (LPO), had inquired with the authorities whether they required a license to deal in these products and, if so, the standards, if any, applicable to them. He submitted that they were informed that no such license was needed. Accordingly, the Petitioners commenced their business activities.

5. Mr Kulkarni submits that, on complaints by the 8th Respondent, which represent the interests of the Petrol Dealers Association, raids were conducted, and some action has been taken, even after informing the Petitioners that no license is required to deal in products like LDO and LPO. This is naturally disputed by the learned counsel for the 8th Respondent.

6. Mr Kulkarni, therefore, submits that if the matters raised in the representations are clarified, it will enable the Petitioners to know their precise position when dealing with LDO and LPO. He submitted that the Petitioners have every intention of complying with the legal requirements, but there is no clarity on the subject. He submitted

that the dealers or manufacturers from whom the Petitioners had sourced the products have certified that the products meet the ISI standards.

7. We do not wish to go into inter se disputes between the Petitioners and the 8th Respondent. However, if the Petitioners have made a representation and wish to supplement such representation within 15 days, we think that it would be appropriate if the District Collector of Nashik disposes of such representation dated 24 January 2025 and the supplementary representation that the Petitioners would now make in accordance with law and on its own merits as expeditiously as possible and in any event on or before 15 February 2025.

8. Mr. Kulkarni states that in the supplementary representation, the Petitioners will also raise the issue of seizure effected by the Impugned Orders. Now that the entire issue is being considered by the District Collector, we direct the District Collector to also consider the issue of the seizure of the subject goods. The District Collector must apprise the parties of the standards, if any, for dealing in such products. Mr Kulkarni pointed out that the manufacturer of such products has already provided the Petitioners with the ISI standards applicable to these products, and the same will be placed before the District Collector along with a supplementary representation.

9. The orders challenged in this Petition also refer to breaches of certain rules, as Ms Vyas pointed out. All these aspects may be clarified by the District Collector so that the parties who were earlier

informed that no license is required for dealing with such products have clarity on the issues involved in dealing with such products.

10. The District Collector, in the peculiar circumstances of this case, must hear the Petitioners and the 8th Respondent and communicate its decision to both parties. All contentions of all parties in this regard are expressly kept open.

11. With the above directions and by leaving open all the contentions of all parties raised in this Petition or concerning this issue, we dispose of this Petition.

12. Ms. Vyas is requested to communicate an authenticated copy of this order to the District Collector so that the District Collector can abide by our directions. Mr. Kulkarni states that copy of the supplementary representation will be furnished to the 8th Respondent within a period of 15 days from today so that the 8th Respondent also gets an opportunity to file a response to the original representation and the supplementary representation.

13. The Petition is disposed of in the above terms without any order for costs. The Interim Application does not survive and is also disposed of.

14. All concerned are to act upon an authenticated copy of this order.

(Advait M. Sethna, J)

(M. S. Sonak, J.)