



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.4029/2024

<u>PETITIONER :</u>	Sachin Baliram Jadhav, Age yrs, Occ.Business, R/o Lohra,Tq. Pusad, District Yavatmal.
<u>...VERSUS...</u>	
<u>RESPONDENTS :</u>	1. The Union of India, Through its Hon'ble Minister, Ministry of Petroleum and Natural Gas. Government of India, Shastri Bhawan, New Delhi-110001.
	2.The Indian Oil Corporation of India, through the Divisional Head, Indian Oil Corporation, Nagpur, Nagpur Divisional Office, Ramdas Peth, Nagpur, Maharashtra.
	3.The Collector Yavatmal, Distt.Yavatmal.
	4.Sandhya Arvind Jadhav Age Major, Occ. R/o Sttarmal,Tq.Pusad, District Yavatmal.

Mr.K.S.Narwade, Advocate for petitioner
Mr.N.S.Deshpande, DSGI and Ms. A.S.Athalye, counsel for
respondent No.1.
Mr.Abhijit Khare, Advocate for respondent No.2.
Mr. S.V. Narale, AGP for respondent No.3

CORAM : ALOK ARADHE, C.J. AND
ANIL S.KILOR, J.

DATE : 27/02/2025

ORAL JUDGMENT : (PER : CHIEF JUSTICE)

1. Rule. Rule made returnable forthwith. Heard finally
with the consent of the learned Counsel for the respective parties .

2. In this writ petition, the petitioner has challenged the validity of the letter of intent dated 02.06.2023 issued by Indian Oil Corporation in favour of the respondent No.4. The petitioner, in addition, seeks a direction to advertise a fresh outlet dealership for location of Marwadi Phata Tq. Pusad District Yavatmal.

3. The facts giving rise to filing of the present petition in nutshell are that the Indian Oil Corporation published an advertisement in daily newspaper namely, 'The Maharashtra' on 15.11.2018 by which online applications were invited for setting up of a retail outlet to install the petrol pump station at Marwadi Phata towards Washim on the right hand side of the State Highway in the District Yavatmal.

4. The petitioner as well as the respondent No.4 and other applicants submitted their online applications along with requisite documents. On 29.08.2019, the application submitted by the petitioner is selected for RO dealership.

5. The Collector, Yavatmal informed the petitioner by email that he has been declared successful candidate in the draw of lots. Thereafter, the Committee visited the site on 11.1.2020 and found that the land of the petitioner though situates within

the five kilometers of the advertised location, but it is in the opposite direction. Indian Oil Corporation, therefore cancelled the candidature of the petitioner and it was found that the land offered by respondent No.4 meets the criteria laid down in the advertisement, therefore, a letter of intent was issued in favour of the respondent No.4 on 02.06.2023. Hence, this Writ Petition.

6. The learned counsel appearing for the petitioner submits that the Indian Oil Corporation ought not to have cancelled the selection of the petitioner by wrongly interpreting the clause regarding the location of land. It is further submitted that the letter of intent ought to have been issued in favour of the petitioner. On the other hand, the learned counsel for the Corporation submits that the land offered by the petitioner was not situated within the advertised area and therefore, the Corporation has taken a well informed decision to reject the candidature of the petitioner.

7. We have considered the rival submissions made by both the sides and have perused the record. The petitioner has not seriously disputed the fact that the land offered by the petitioner was not situated within the advertised location. Therefore, the action of the Corporation in rejecting the candidature of the

petitioner cannot be found fault with. The letter of intent was issued in favour of the petitioner on 02.6.2023, whereas this petition has been filed on 08.05.2024 that is nearly after a period of eleven months from the date of issuing of the letter of intent. On this ground as well the petitioner is not entitled to seek any relief.

8. For the aforesaid mentioned reasons, we do not find any merit in the writ petition. The same therefore deserves to be dismissed. The writ petition is dismissed. Rule stands discharged. No order as to costs.

(ANIL S.KILOR, J.)

(CHIEF JUSTICE)

Kavita