



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT APPEAL NO. 1596 OF 2024 (GM-RES)

BETWEEN:

1. INDIAN OIL CORPORATION LTD.
MYSORE DIVISIONAL OFFICE
NO.36/A, 1ST FLOOR, B.N. ROAD
MYSORE TRADE CENTER
OPP. KSRTC BUS STAND
MYSORE - 570 001
REPRESENTED BY ITS
AUTHORISED REPRESENTATIVE

...APPELLANT

(BY SRI VACHAN H.U., ADVOCATE)

AND:

1. B.V. LAKSHMIDEVAMMA
W/O S.M. THIMMAIAH
AGED ABOUT 47 YEARS
R/AT #6, OPP. 1479, 2ND CROSS
8TH A MAIN, 1ST PHASE, 5TH STAGE
BEML LAYOUT
RAJARAJESHWARI NAGARA
BANGALORE - 560 098

...RESPONDENT

(BY SRI SUNIL S. RAO, ADVOCATE)



THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO QUASH THE IMPUGNED JUDGEMENT DATED 25/07/2024 PASSED BY A SINGLE BENCH OF HON'BLE HIGH COURT OF KARNATAKA IN W.P.NO.1771/2024 (GM-RES) AND ETC.

THIS APPEAL, COMING ON FOR PRELIMINARY HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MR. JUSTICE C.M. POONACHA

ORAL JUDGMENT

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. For the reasons stated in the application—I.A.No.3/2024, the same is allowed, and the delay in filing the appeal is condoned.
2. The appellant, Indian Oil Corporation Limited [**IOCL**], has preferred the present appeal impugning an order dated 25.07.2024 [**impugned order**]¹ passed by the learned Single Judge of this Court in W.P.No.1771/2024 (GM-RES).
3. The respondent had filed the said writ petition seeking setting aside of the endorsement communicated by an email dated 30.12.2023, whereby the respondent was informed that she had

¹ NC:2024:KHC:29548



been found to be ineligible for RO-dealership on the basis of the documents submitted by her, for the reason that there was a mismatch in the PAN number.

4. The learned Single Judge found that the mismatch in the PAN number was due to a typographical error and therefore set aside the respondent's rejection on that ground.

PREFATORY FACTS

5. IOCL had proposed to appoint retail outlet dealers at various locations in the State of Karnataka and thus invited applications for the same. The notice published in newspapers also stated that a detailed advertisement and brochure were published on IOCL's website <www.petrolpumpdealerchayan.in>. The last date for submitting applications was 27.09.2023.

6. The respondent belongs to the SC & ST category and filed an online application under that category. She claims that she also submitted copies of various documents, including her PAN card, as attachments to her application.

7. IOCL conducted a draw of lots on 12.12.2023 to select the successful candidate for the grant of a retail sales outlet (RO-



dealership) on State Highway 33 (SH-33), near Priyadarshini College of Pharmacy, Koratagere, to Koratagere Government Hospital, Tumakuru. The respondent was successful in the draw of lots, and IOCL informed the respondent by email dated 13.12.2023.

8. The respondent states that after she was declared successful in the draw of lots, she uploaded all her documents, including PAN card, on 22.12.2023. Thereafter, she also received a link to make a payment towards the initial non-refundable security deposit. However, on 30.12.2023, the respondent received the impugned communication informing that her candidature had been rejected.

9. The facts in the present case are not in dispute. There is no dispute that the respondent filled up her PAN number as 'BEWPL2832K' instead of 'BFWPL2832K', in her application, which was filed online. The respondent had incorrectly entered the letter 'E' in her PAN number instead of 'F'. She claimed that the same was due to oversight and typographical and clerical error on her part in filling out the form.



10. IOCL claims that the mismatch in the PAN number is a non-curable defect and, therefore, the said error was fatal to the respondent's application for the allocation of a retail outlet dealership. The 'Brochure For Selection Of Dealers For Regular And Rural Retail Outlets' [**Brochure**] had clearly set out the list of non-rectifiable deficiencies in the applications. Paragraph 23 of the said Brochure issued in June 2023 sets out those deficiencies. The relevant extract of the said paragraph is set out below.

"23. LIST OF NON-RECTIFIABLE DEFICIENCIES IN APPLICATIONS

The following deficiencies in the application form for Retail Outlet Dealer Selection are non-rectifiable and such applications will not be considered for further selection process.

a) to m) ** ** **

n) PAN No. mismatch / Incorrect PAN No. / PAN No. does not belong to the applicant.

o) ** ** **

p) Changes in Khasra / Khatouni / Gut / Survey No. etc. of offered land.

q) to s) ** ** **

No alteration / addition / deletion in the application form will be permitted except affixing of photograph and putting signature on the application form. The rectified or additional documents would be accepted only if they are pertaining to the information provided in the Application form."



11. In the given facts, there is no doubt that the application furnished by the respondent suffered from the deficiency as stipulated in paragraph 23(n) of the Brochure. IOCL had clearly set out the said deficiency as non-rectifiable. In these circumstances, IOCL's decision to reject the respondent's candidature cannot be faulted.

12. It is relevant to note that the respondent has not challenged the Brochure or the inclusion of the non-rectifiable defects. On the contrary, the respondent filed the application on the basis of the IOCL's Brochure, which also listed out the non-rectifiable deficiencies. Therefore, we find it difficult to accept that the respondent could escape the consequences of her error in filling up the application.

13. It is also important to note IOCL's contention that the said guidelines are implemented across the country, and several applications have been rejected on the ground of non-rectifiable deficiencies, as set out in paragraph 23 of the Brochure in question.



HC-KAR

NC: 2026:KHC:10400-DB
WA No. 1596 of 2024

14. The question of whether rejection of an application for RO-dealership on the ground of a mismatch in the PAN number is sustainable has been considered by the courts in several cases.

15. In **Multajim Shameer Kureshi v. Indian Oil Corporation Limited and another**², the Aurangabad Bench of the Bombay High Court dismissed the writ petition challenging the rejection of the application on the ground of a mismatch in the PAN number.

In regard to the said error, the Court observed as under:

"11. Though it is a human error, indeed it is an error committed by the petitioners in mentioning the PAN number. Since it is a matter of competition and selection, allowing the candidates like the petitioners, giving some lee-way, by relaxing a condition, would be to the prejudice of the other participants in the process who have applied for the dealership. So long as the condition has been applied uniformly and when it is not a matter of arbitrariness in application of the condition, this Court, in exercise of the limited power under Article 226 of the Constitution of India, cannot interfere in the matter of selection process. No fault can be found with the impugned decision / communication, thereby rejecting the petitioners' applications for awarding retail outlet dealership."

16. In **Savita Sinha v. The Indian Oil Corporation and another**³, the Division Bench of the Patna High Court also considered a case in which the candidate had entered an

² Writ Petition No.7028 of 2024 decided on 9th December, 2024.

³ Civil Writ Jurisdiction Case No.13810 of 2019 decided on 25th July, 2022.



erroneous PAN number in her application. She had erroneously typed 'T' instead of 'P' in her PAN number. Similar to the contention advanced in the present case, the petitioner in the said case urged that the error was inadvertent and typographical; therefore, her application could not have been rejected on that ground. In the aforesaid context, the Hon'ble Patna High Court held as under:

"11. In **M/s. Indian Oil Corporation Limited v. Raj Kumar Jha & Ors.** since reported in **2012(2) PLJR 783**, a Division Bench of this Court held that the Corporation being the State is supposed to act fairly, reasonably and uniformly and has to be objective in its approach. Once the standard is set out in the advertisement, the Corporation has to adhere to the said standard without any variation. In case, the Corporation allows any alteration the same will amount to subjective approach which is frowned upon by the Courts time and again. To remain objective the Corporation is required to adhere to the standards mentioned in the advertisement.

12. The Division Bench further held that since the application made by the writ petitioner was not in conformation with the requirements mentioned in the advertisement, the Corporation was justified in rejecting the application of the petitioner.

13. Apparently, the petitioner being fully aware of the fact that if an information given by her is incorrect/false/misrepresented, then her candidature would stand cancelled. She made a wrong entry in her application submitted to the respondent-Indian Oil Corporation.

14. We are in complete agreement with the views expressed by the Division Bench of this court in **Indian Oil Corporation vs. Raj Kumar Jha (supra).**"



17. The Division Bench of the Gujarat High Court has also expressed a similar view in **Rathava Bachubhai Khimji v. Indian Oil Corporation Limited**⁴. In the said case, the candidate committed an inadvertent error by incorrectly feeding PAN number as 'AHJPR2908P' instead of 'AGJPR2908P'. As is apparent in this case as well, the error was typing the letter 'H' Instead of 'G' while feeding the PAN number in the application. The Gujarat High Court referred to the decision of the Division Bench of the Bombay High Court in **Multajim Shameer Kureshi** (*supra*) and rejected the petition as being without any merit.

18. The learned counsel appearing for the appellant submitted that the decision in **Savita Sinha** (*supra*) refers to the decision of the Patna High Court in **Indian Oil Corporation Limited v. Raj Kumar Jha & Ors.**⁵ and submitted that in that case as well the Court had set aside the order of the learned Single Judge allowing the candidate's writ petition against an order of rejection. In that case, as well, the candidate's application suffered from an error which was described as a typographical error. The Division Bench

⁴ SPECIAL CIVIL APPLICATION No.11546 OF 2024 DECIDED ON 17.03.2025

⁵ 2012(2) PLJR 783



had allowed the appeal, *inter alia*, observing that once the IOCL has set down a criteria, it was required to adhere to it. However, the learned counsel submitted that the said decision was also on the basis that the Division Bench had doubted whether the error (mentioning 'Karyalaya' instead of 'Nyayalaya') in filling up the application was merely a typographical error. He submitted that the doubt as to the bona fide of the applicant was the principal reason for rejecting the relief sought by the applicant.

19. He also referred to the decision of the Bombay High Court in **Yogesh Waman Gaikwad v. Indian Oil Corporation Ltd.**,⁶ where the court had allowed an appeal against an order of the Single Judge rejecting the aggrieved candidate's writ petition. In that case, there was a typographical error in typing the number of the survey describing the land. The candidate had filled in Survey No. 34-1D/2/3 instead of 34/1/D/2/1. The Court allowed the appeal and set aside IOCL's decision to reject the application on the said ground.

⁶ WRIT PETITION No.2447 OF 2025 decided on 22nd April, 2025



20. We are not persuaded to accept the contentions advanced by the learned counsel for the respondent.

21. The reliance placed by the learned counsel on the decision of the Bombay High Court in **Yogesh Waman Gaikwad** (*supra*) is misplaced. In that case, the Court had analysed the deficiency as specified in clause 23(p) of the guidelines, and concluded that the case was not covered by clause 23(p) of the guidelines. The Court held that there were no changes in Khasra / Khatouni / Gut / Survey No. etc. of offered land, as the described land remains the same. It is also material to note that the Court referred to the decision in **Multajim Shameer Kureshi** (*supra*) and held that it was distinguishable on the ground that the deficiency referred to in that case was covered under clause 23. Concededly, there is no scope for interpreting clause 23(p) in any other manner, other than as canvassed by the IOCL.

22. We are unable to accept that the deficiency stipulated in para 23 of the brochure is applicable only in cases where there is a suspicion of mischief or where there are grounds to believe that the deficiency is not due to an innocent or inadvertent error.



23. The deficiencies stated in clause 23(n) do not require any value judgment as to the reasons that had led to a mismatch in the PAN number. IOCL is merely required to examine whether the application suffered from an error or any deficiency as provided under paragraph 23(n) of the brochure. If the application indeed suffers from such a deficiency, IOCL must reject it.

24. In view of the above, we are unable to sustain the impugned order.

25. The appeal is, accordingly, allowed and the impugned order is set aside.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(C.M. POONACHA)
JUDGE**