

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1370 of 2013
IN
Civil Writ Jurisdiction Case No. 4160 of 2013**

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Md. Firoz Alam Son Of Ali Hasan Resident Of Village- Adampur, Police Station-
Majhagarh, District- Gopalganj

.... Appellant

Versus

1. The Union of India
2. The Secretary, Ministry Of Petroleum and Natural Gas, Govt. Of India
3. The Additional Secretary, Ministry Of Petroleum and Natural Gas, Govt. Of India
4. The Indian Oil Corporation Limited, Bihar State Office, Lok Nayak Jai Prakash Bhawan, 5th Floor, Dak Bangalow Chowk, Patna Through Its General Manager
5. The General Manager Of Indian Oil Corporation Limited, Bihar State Office, Lok Nayak Jai Prakash Bhawan, 5th Floor, Dak Bangalow Chowk, Patna
6. Tribhuwan Prasad Son of Not Known Resident Of Gopalmath, Police Station & District- Gopalganj

.... Respondents

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Appearance :

For the Appellant : Mr. Umesh Kumar Mishra, Advocate

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL**

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 17-02-2017

The order under appeal is dated 20th August, 2013 passed in C.W.J.C. No. 4160 of 2013. The writ application came to be filed by the petitioner, who is the appellant here, when the Deputy General Manager of Indian Oil Corporation cancelled the candidature of the appellant vide order dated 28.01.2013, which was challenged in the writ application.

The appellant was one of the applicants against



advertisement dated 19.08.2011 for setting up of a retail petrol pump outlet under Kishan Seva Kendra. Appellant was short listed and placed at number one position, but when the actual verification of the declarations made in the application was carried out in the field, two facts were held out against him. One that the land, which was shown and offered by the appellant, was not of the required size in terms of the advertisement and that the certificate of graduation, which was used by the appellant, which was a marks sheet supposedly issued by the J.P. University, was found to be forged and fabricated.

On these two grounds, the candidature of the appellant was cancelled. The learned single Judge heard the arguments of the parties and did not find anything irrational with regard to the cancellation of the candidature of the appellant. The effort on the part of the appellant to shake off the onus of using a forged document did not succeed because those documents are self-attested documents and are part and parcel of the application which was filed by the appellant and use of such documents was beneficial to the appellant because marks were required to be awarded for higher qualification.

The order of the learned single Judge does not suffer from any infirmity which is required to be rectified in appeal.



Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan/-

AFR/NAFR	NAFR
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