

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-26337-2014 (O & M)

Date of decision: 28.09.2017

Tarlochan Singh

....Petitioner(s)

V/s

Hindustan Petroleum Corporation Ltd. and anr.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. S.P. Arora, Advocate, for Mr. Manoj Bajaj, Advocate, for the petitioners.

Mr. Aman Arora, Advocate, for respondents No.1 and 2.

Rajan Gupta, J. (Oral)

Petitioner has sought quashing of order dated 14.08.2014 whereby Letter of Intent (LOI) issued in his favour, was cancelled by the Corporation. It has been urged before the court that the petitioner responded pursuant to advertisement dated 04.12.2011 issued in 'The Tribune' in the category of physically handicapped persons for grant of LPG distribution. He was duly considered and allotted the distributorship. Letter of Intent was issued on 30.09.2013. Petitioner completed all other formalities as well. On 21.06.2014, he received a letter from the respondents that a complaint had been received that the petitioner has submitted a fake B.A. degree from Global Open University, Nagaland alongwith the documents. In the said letter, father's name of the petitioner did not match with the other documents submitted by him. The Corporation, thus, found the degree to be fake and vide letter dated 14.08.2014, it cancelled LOI. It has been urged on behalf of the petitioner that petitioner was even otherwise eligible for allotment in view of diploma in Engineering possessed by him from J & K State Board of

he lodged FIR with the Police Station, Joga, District Mansa. Thus, Letter of Intent has been cancelled for no fault of the petitioner.

Stand of the Corporation, however, is that the petitioner was fully aware of the fake degree submitted by him purportedly issued by some university in Nagaland. According to Corporation, a show cause notice was issued to the petitioner and an opportunity of hearing was afforded. At the time of field verification, he submitted the fake degree and no certificate in respect of diploma aforementioned. In view of this, declaration made by the petitioner in Para 14(a) of the application, was found to be incorrect. He also undertook in the application that on verification, if the company found that the information furnished by him in the application was incorrect or false in any manner, his candidature may be cancelled.

According to the Corporation, petitioner had committed an offence by submitting a fake degree.

On due consideration of the matter, I find substance in the plea of the Corporation. The conduct of the petitioner in submitting the fake degree cannot be condoned. It is inexplicable why FIR was not lodged by the officials of the Corporation against the petitioner for relying upon a document which he knew to be fake/false. No case for interference in writ jurisdiction is made out. Dismissed.

September 28, 2017
sukhpreet

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No