

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2560 OF 2018

Mahesh s/o Bhausahab Kadam

Petitioner

Versus

Bharat Petroleum Corporation Limited

Respondent

Mr. N.B. Khandare, advocate for petitioner.

**CORAM : R.M.BORDE &
K.K. SONAWANE, JJ.
DATE : 7th MARCH, 2018**

PER COURT:

1. The candidature of petitioner has been turned down on the ground that the information tendered on oath regarding his financial capability was found to be false and misleading.
2. Petitioner sworn affidavit on 05.08.2014 stating that the requisite funds as per the advertisement are available in his bank account. However, after verification it was noticed that the statement made on oath by petitioner on 05.08.2014 was false and on the aforesaid date, the funds were not available.
3. Clause no. 10 of the brochure provides that the funds mentioned above must be available with the applicant as on the date of affidavit. It however transpires that the petitioner did not have bank account opened on 05.08.2014 as specified by him in column no. 10 of the application form. Since the petitioner has willfully and knowingly furnishing false information, the authority-petroleum corporation is justified in turning down the application

tendered by petitioner.

4. It is the contention of petitioner that infact the requirement in respect of making provision for amount is in reference to the cut off date of submission of application. It is his contention that he tendered application form on 09.08.2014 and the funds were very much available on the aforesaid date. However, the contention raised by petitioner is not acceptable for the reason that on the date on which he sworn the affidavit i.e. 05.08.2014, admittedly, the funds were not available in the bank account and that, the petitioner willfully furnished false information to the respondent.

5. In exercise of extra ordinary jurisdiction under Article 226 of the Constitution of India, no interference is called for in the petition. Petition is devoid of substance hence stands rejected.

6. Pending civil application if any, does not survive and stands disposed of.

K. K. SONAWANE
JUDGE

R.M.BORDE
JUDGE

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