

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.**

WRIT PETITION NO. 8179 OF 2018

Jagannath S/o Nagnath Targude

Petitioner...

Versus

The Union of India & Ors.

Respondents...

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Mr Pratap G. Rodge, Advocate for the petitioner
Mr A. P. Bhandari, Advocate for respondents No. 2 to 4
Mr S. B. Deshpande, ASG for respondent No.1/Union of India.

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**CORAM : R. M. BORDE &
A. M. DHAVAL, JJ.**

DATE : 19TH JULY, 2018.

PER COURT:-

1. The petitioner is objecting to the order passed by respondent No. 4 - Chief Area Manager, holding the petitioner disqualified for awarding distributorship of Indian Oil Corporation at the advertised location – Barhali, Dist. Nanded, under OBC category, in pursuance to the advertisement dt. 01.09.2017. The petitioner while presenting the application form has made a false declaration that he has passed SSC examination in the year 1978, however, the copy of mark-sheet tendered by the petitioner at the stage of field

verification indicates that he has passed SSC examination in March/April 1974. Apart from this, the age of the petitioner as concluded by respondent after due enquiry appears to be more than 60 years. The Zilla Parishad school record mentions the date of birth of the petitioner as 03.02.1957. According to the petitioner, his date of birth is 01.01.1961, and entry in the school record is incorrectly recorded. The contention appears to be *prima facie* incorrect for the reason that, the petitioner himself contends that, he has cleared SSC examination in the year 1974 and at the relevant time the age cannot be less than 16 years. Even otherwise, on account of false declaration in the application form, the petitioner has rendered himself ineligible.

2. Paragraph 8(A)(c) of the Unified Guidelines for Selection of LPG Distributors provides that, the applicant should not be less than 21 years and not more than 60 years in age as on the date of publication of the advertisement/Notification. The petitioner, as has been concluded by the Committee, is more than 60 years of age and as such, is ineligible for awarding distributorship.

3. The petitioner prays for issuance of directions to refund the amount of Rs. 30,000/- deposited by him towards security deposit. It is clarified in the advertisement that, the amount of security deposit

and application fees shall not be refunded and would be forfeited in the event the applicant makes any false declaration in the application form.

4. Since the petitioner has made a false declaration in the application form as regards the year of passing of SSC examination, he is not entitled to claim refund of security deposit.

5. For the reasons recorded above, no interference is called for. The petition being devoid of merits, stands dismissed.

[A. M. DHAVALE]
JUDGE

[R. M. BORDE]
JUDGE

Punde