

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16465 of 2018

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Ranjan Kumar Singh S/o Ash Narayan Singh, resident of Village- Jogyara,
P.S.- Jaley, District- Darbhanga.

... .. Petitioner/s

Versus

1. M/s Indian Oil Corporation Limited Through Its Chairman and Managing Director having its Registered office at Indian Oil Bhavan, G-9, Ali Yavar Jung Marg, Bandra (East) Mumbai - 400051
2. The Executive Director, Indian Oil Corporation Limited Bihar State office, 5th Floor Lok Nayak Jai Prakash Bhawan, Dakbunglow Chowk, Patna -1
3. The General Manager, Indian Oil Corporation Limited, Bihar State Office, 5th Floor, Lok Nayak Jai Prakash Bhawan, Dakbunglow Chowk, Patna -1
4. The Dy. General Manager LPG- Sales, Indian Oil Corporation Limited, 1st Floor, Shahi Bhawan, Exhibition Road, Patna
5. Chief Area Manager, Indian Oil Ltd. Begusarai Area Office, Begusarai.
6. Field Verification Committee Member, Indian Oil Corportaion Limited, Begusarai Area Office, Begusarai

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Gupta, Advocate
For the Respondent/s : Mr. Sanat Kumar Mishra, Advocaste

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 08-09-2025

1. The petitioner has filed the instant application for the following reliefs:

“ i) For issuance of writ/s preferably in the nature of mandamus commanding the respondent authorities to issue Letter of Intent to the petitioner without any further delay as the petitioner has been declared the selected candidate pursuant to the draw of lots held on



08.01.2018 for award of LPG Distributorship for the location Sahspur, District-Darbhanga under Open (GP) Category advertised on 17.06.02017 and subsequent to the selection has submitted the entire required documents alongwith a Demand Draft of Rs. 40,000/- for Field Verification Credentials which has already been conducted on 06.04.2018.

(ii) For issuance of writ/s in the nature of mandamus commanding the respondents to act fairly, reasonably and uniformly and to be objective in its approach by considering the two Registered lease deeds bearing no. 2733 and 2734 both dated 14.07.2017 submitted in support of land offered for showroom and godown respectively wherein although the tenure of the lease deeds have been distinctly stated to be for 15 years in three places, but due to a minor human error in column no. 2 at page 5 of both the lease deeds, instead of 13 July 2032 it has been inadvertently written as 13 June 2032 and above all the same has been supplemented by corrected lease deeds bearing no. 2547 and 2548 both dated



21.06.2018.

(iii) For any other relief or reliefs for which the petitioner is found to be entitled in the facts and circumstances of this case."

2.The case of the petitioner, in brief, is that the petitioner, pursuant to an advertisement dated 17.06.2017, applied for selection as Gramin LPG Distributor of Indian Oil Corporation Limited (hereinafter called as IOCL) at Location: Sahspur, District Darbhanga under open (GP) category. Thereafter, the petitioner was declared successful candidate in the draw of lots conducted on 08.01.2018 by the Corporation, and as directed by the Corporation, she submitted all requisite documents for verification.

3. It is further submitted that the petitioner's candidature was rejected by the respondents vide letter dated 3.10.2018 (Annexure-7), solely on the ground of discrepancy in lease deed for the land offered for the godown and showroom.



4. The Learned counsel for the petitioner contended that the mistake was inadvertent and the correct lease deed was subsequently brought to the notice of the Corporation. A Rectification Deed was also submitted to cure the defect.

5. It is submitted that the petitioner's candidature ought not to have been rejected for a curable technical error, particularly when no mala fide intent or suppression has been established.

6. The respondent Corporation arbitrarily, illegally, and mala fidely cancelled the petitioner's candidature by order dated 3.10.2018, without considering the documents submitted by the petitioner regarding the land for distributorship.

7. A detailed counter affidavit was filed on behalf of the respondent Corporation. The Learned counsel for the Corporation submits that the selection process was governed by the Unified Guidelines for Selection of LPG Distributors.

8. It is contended by the Learned counsel for the Corporation that Clause 26 of the guidelines clearly stipulates that if any information furnished



by the applicant in the application form or any other document is found to be incorrect or false, the candidature is liable to be rejected without assigning any reason.

9. It is further submitted that although the petitioner was declared successful, in the draw of lots, the details furnished in the application form and lease deed were found to be incorrect during Field Verification of Credentials (FVC). It is also submitted that the petitioner's land details were wrongly mentioned not only in the application form but also in the original lease deed and the subsequent Rectification Deed, according to the respondents, cannot cure the initial defect, as per the settled procedure.

10. It is further argued that the issue involved, i.e., non-compliance with the terms and conditions of the advertisement and brochure, is no longer *res integra* and has been settled by multiple decisions of this Hon'ble Court. Hence, the Corporation is under no legal obligation to issue the Letter of Intent in the petitioner's favour.



11. In support of the case of the respondent Corporation, the Learned counsel has relied on the following judgments of the Division Bench of this Court reported in (1) **2012 (2) PLJR 783 (M/s Indian Oil Corporation Limited Vs. Raj Kumar Jha & ors)**, (2) **2019(3) PLJR 1042 (The Indian Oil Corporation & Ors. Vs. The Rupesh Kumar Verma)** and order passed in **LPA No. 925 of 2012 (Mukesh Pandey Vs. The Hindustan Petroleum Corporation & Ors.)**.

12. For better appreciation of the case, the observations made by the Hon'ble Division Bench in **M/s Indian Oil Corporation Limited (supra)** are quoted hereinbelow:

“8. We are of the opinion that the Corporation being the State within the meaning of Article 12 of the Constitution 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. In the present case, it is not in dispute that the application made by the writ petitioner was not in conformation with the requirements mentioned in the advertisement. In our opinion, the Corporation was justified in rejecting the application of the writ petitioner.

9. *The learned Single Judge ought not to have interfered with the decision of the Corporation which was taken in consonance with the terms and conditions contained in the advertisement. Besides; may be, in the present case it was a mere typographical error. However, there might be a case of mischief or misrepresentation also. It is difficult to draw a line where an error ends and a mischief or misrepresentation begins. The best way to avoid discrimination is strict adherence to the standards mentioned in the advertisement. For the aforesaid reasons we hold that the Corporation was justified in rejecting the application of*



the writ petitioner. The Appeal is allowed. The impugned judgment and order dated 28th January, 2010 passed by the learned Single Judge in CWJC No. 13196 of 2009 is set aside. CWJC No. 13196 is dismissed.”

13. Further the Hon’ble Division Bench of this Court in **The Indian Oil Corporation & Ors. (supra)** has held as follows:

“We have considered the submissions raised and we find that the advertisement categorically prescribes that a candidate would be rendered ineligible if the information given amounts to withholding or concealing any fact or tendering of an incorrect information or a false information that would result in affecting the eligibility of the candidate. The three categories which have been specifically provided have, therefore, to be read as indicated therein and, in our considered opinion, any incorrect information would affect the eligibility of a candidate. In the instant case, it is admitted on record that the information given by the respondent-petitioner with regard to the



plot of the land and khata number in the application form was an incorrect information and was, therefore, a wrong information. The plot number and the khata number was 123 and 356 respectively. This mistake was accepted by the respondent-petitioner himself when he tendered the rectification deed on 12th of June, 2018 long after the expiry of the last date of the application form. There is a substantial variation in the number of khata and the plot that was subsequently tendered as Khata No. 300 with Plot No. 122 and the same, in our opinion, is not such an error which can be termed as a typographical error at least in the application form of the respondent-petitioner. The error may have occurred in the deed for which the respondent-petitioner is clearly responsible and this stands admitted by him in view of the rectification deed tendered later on. Consequently, the information as contained in the application form and the deed which was filed along with the same palpably gave an incorrect information with regard to the khata and the plot number. This therefore disentitled the respondent-



petitioner from being treated as an eligible candidate. The conclusion drawn by the learned Single Judge bereft of these facts therefore cannot stand the scrutiny of law. Shri K. D. Chatterji, learned Senior Counsel for the appellants is, therefore, correct in his submission that the Division Bench Judgement as relied upon by the appellants in the case of Indian Oil Corporation Ltd. v. Raj Kumar Jha (supra) squarely applies on the facts of the present case."

14. Heard the Learned counsel for the petitioner as well as the Learned counsel for the respondents and perused the records.

15. In light of the legal proposition laid down in the aforesaid judgments, this Court is of the considered view that once a standard is set out in the advertisement, the Corporation is bound to adhere to the said standard without any variation. In case if the Corporation permits any alteration, it would amount to a subjective approach, which has been disapproved by the Courts time and again. In



the present case, the petitioner through his application form, offered unsuitable land for LPG distributorship based on the selection criteria stipulated in the Unified Guidelines for Selection of LPG Distributors - June 2017, which was rightly cancelled by the respondents.

16. Therefore, the petitioner cannot claim any right for consideration of his application. This Court finds no error or irregularity in the decision of the respondents in cancelling the candidature of the petitioner.

17. In view of the above discussion, the Writ petition is liable to be dismissed, as it is devoid of merits.

18. In result, Writ petition is dismissed.

19. Interlocutory Application(s), if any, shall stand disposed of.

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.09.2025
Transmission Date	

