

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11622 of 2022

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Smt. Sunita Devi, aged about 33 years (Female) W/o Ajay Kumar, Resident of Village- Belahi (Rampur East), P.O. and P.S.- Chiraiya, District- East Champaran.

... .. Petitioner/s

Versus

1. The Indian Oil Corporation Limited through its Divisional Manager, Divisional Office, Krishna Complex, Akharaghat Road Muzaffarpur, District- Muzaffarpur.
2. The Sr. Divisional Retail Sales Manager, Indian Oil Corporation, Divisional Office, Krishna Complex, Akharaghat Road Muzaffarpur, District- Muzaffarpur.
3. The Divisional Retail Sales Head, Indian Oil Corporation Limited, Divisional Office, Krishna Complex, Akharaghat Road Muzaffarpur, District- Muzaffarpur.
4. Ram Hriday Baitha, aged about 68 years (Male) S/o Late Dharichhan Baitha, Resident of village- Belahi (Rampur East), P.O. and P.S.- Chiraiya, District- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Advocate.

For the Respondent/s : Mr. Sanat Kumar Mishra, Advocate.

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

15 11-02-2025 Heard learned counsel for the parties.

2. The present Writ Petition has been filed for the following reliefs:-

“(i) For issuance of the writ in the nature of certiorari for quashing the order dated 16.03.2022 vide Reference No. KSK/92/REJECTION, issued by the Divisional Retail Sales Head, Indian Oil Corporation Ltd, Divisional Office, Krishna Complex, Akhada Ghat Road, Muzaffarpur, Dist-Muzaffarpur (Respondent No. 3) whereby and



whereunder the Respondent No. 3 has rejected the candidature of the petitioner of KSK (Kisan Sewa Kendra) Dealership, for village-Belahi, under Block Chiraya, Dist. East Champaran under SC Category saying that No Valid Title over the offered plot of land has been found by him.

(ii) For issuance of writ in the nature of Mandamus directing to the Respondents Authority particularly Respondent No. 3, to award the Retail Outlet Dealership of KSK (Kisan Sewa Kendra) in favour of the petitioner for the village-Belahi, Block Chiraiya, Dist. East Champaran which is at Sl. No. 92 of the advertisement for this regard.”

3. It is the case of the petitioner that pursuant to the advertisement given for appointment of a Retail Outlet Dealership, the petitioner has applied to the Respondent-Corporation and she has submitted the requisite documents along with her application.

4. Learned counsel appearing on behalf of the petitioner has stated that the petitioner has identified the land in Khesra No. 4779 and to that effect a lease-deed entered between the petitioner and the landlord was submitted to the authorities. That the lease-deed was registered one bearing document No. 6610 on 14.11.2014. Thereafter, the petitioner on realizing that there is a mistake in the khesra number of the lease-deed has submitted a rectified lease-deed bearing registration No. 5965 dated 21.10.2016 but the authorities have rejected the



application of the petitioner on some technical ground. Learned counsel has, therefore, prayed this Hon'ble Court to allow the present writ petition.

5. Per contra, the learned counsel appearing on behalf of the Respondent-Corporation has vehemently opposed the very maintainability of the present writ petition. Learned counsel has brought to the notice of this Court that the petitioner has submitted a forged and fabricated lease-deed in which the khesra number was changed. That the lease-deed submitted by the petitioner (Annexure 4/1) reveals that the petitioner has shown the land in Khesra No. 4779 as having being leased by her from the Respondent No. 4 herein. The said document is having Deed No. 6610 dated 14.11.2014. However, when the authorities have verified the lease-deed submitted by the petitioner along with her application with the original certified copy of the lease-deed (Annexure R/1-4), it was found that the land pertains to Khesra No. 4789. The petitioner had submitted a photocopy of the lease-deed No. 6610 dated 14.11.2014 (Annexure R/1-4) in which she has changed the Khesra No. 4789 to 4779. That the application was rejected on this ground alone and the CWJC is also liable to be rejected. Learned counsel has stated that no equities can be shown in favour of the



person who has played fraud on the authorities by submitting false and fabricated documents. Further, it is stated by the learned counsel for the Respondent-Corporation that the land in Khesra No. 4779 is not available with the petitioner. Therefore, learned counsel has prayed this Hon'ble Court to dismiss the present writ petition.

6. A perusal of the documents filed by the petitioner more particularly the lease document bearing Deed No. 6610 dated 14.11.2014 marked as (Annexure 4/1) reveals that the petitioner has submitted the lease-deed executed by the owner for Khesra No. 4779 but on comparison of the same with the original lease Deed No. 6610 dated 14.11.2014 (Annexure R/1-4) reveals that the said document is for Khesra No. 4789, the petitioner has changed the Khesra No. 4789 to 4779.

7. Though the petitioner has stated that the submission of the above document was inadvertent and there was no fraud committed by the petitioner. A comparison of the documents reveals that the khesra number was deliberately changed from 4789 to 4779, the authority has rightly rejected the application of the petitioner. The stand taken by the respondent-authorities in rejecting the application of the petitioner is in consonance with the well established principles of law. Any person



submitting false and fabricated documents with a view to get an advantage over the other applicants does not deserve any sympathy or mercy. This Court does not find any merit in the present writ petition which warrants any interference by this Court.

8. The present writ petition, accordingly, **dismissed**.

(A. Abhishek Reddy, J)

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