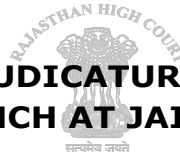




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Civil Writ Petition No. 7905/2018

Jagdish Narain Sharma Son Of Late Shri Ram Sahay Sharma,
R/o 121, Panchsheel Enclave, Durgapura, Jaipur

-----Petitioner

Versus

1. Indian Oil Corporation Ltd., Through General Manager,
Indian Oil Bhawan, Ashok Chowk, Near Radha Sw, Adarsh
Nagar, Jaipur
2. General Manager Lpg, Rajasthan State Office, Indian Oil
Bhawan, Ashok Chowk, Near Radha Swami Sats, Adarsh
Nagar, Jaipur
3. The Area Manager, Indian Oil Corporation Ltd., Indane
Area Office, Spl 1297, Sitapura Industrial Ar

-----Respondents

For Petitioner(s)	:	Mr. Krishan Chander Sharma with Mr. Vaibhav and Mr. Vijay Sharma
For Respondent(s)	:	Mr. Vikram Singh with Ms. Annika Anna

HON'BLE MR. JUSTICE GANESH RAM MEENA

Order

23/02/2026

1. The instant petition has been filed by the petitioner under Articles 226 and 227 of the Constitution of India with the prayer to quash and set aside the show cause notice dated 10.10.2017 (Annexure-6) and the letter of withdrawal dated 26.03.2018 (Annexure-9) issued by respondent No. 3 – the Area Manager, Indian Oil Corporation Ltd., Sitapura Industrial Area, Jaipur.



2. The succinct facts of the case are that the petitioner filed an application form on 29.11.2007 in response to the advertisement released by respondent No. 1 – the Indian Oil Corporation for Dealership (Distributorship) of L.P.G. Gas, Sanganer, Jaipur. The Fact Verification Committee (for short, 'FVC') verified the facts mentioned in the said application form, after which, a Letter of Intent (for short, 'LOI') was issued by the respondent No. 1 in favour of the petitioner on 03.08.2017.

Subsequently, on re-verification, the petitioner was called by the respondent No. 3 on 21.09.2017 seeking explanation as to why only Khasra No. 264 has been mentioned in his application form, as the land available for the construction of Godown, when Khasra No. 270 was also found by the FVC to be in his ownership. In response to this, the petitioner explained that a partition of Khasra Nos. 263, 264 and 270 took place before the learned Sub-Divisional Officer, Sanganer, (II-Jaipur) and vide its order dated 03.03.2016, Khasra No. 270 was given to the petitioner in lieu of his share in all the three Khasra numbers. The said information regarding the partition and the status of Khasra No. 264 was further confirmed by the Tehsildar, Sanganer on 03.11.2017 in its reply to the letter dated 01.10.2017 sent by the respondents and also in the Jamabandi.



In the meanwhile, a show cause notice dated 10.10.2017 was issued to the petitioner by the respondent No. 3, to which, the petitioner filed his reply on 13.11.2017. Pursuant to this, a letter of withdrawal of LOI was issued to the petitioner on 26.03.2018 by the respondent No. 3.

3. The learned counsel for the petitioner submits that the petitioner purchased around 3 bigha of land comprising Khasra Nos. 263 measuring 0.58 Hectare, 264 measuring 0.67 Hectare and 270 measuring 0.79 Hectare in Village Indrapuri, Sanganer, by a registered sale deed dated 02.08.2003 from its seller and only after the partition of the same on 03.03.2016, ownership of Khasra No. 270 was given to the petitioner. He further submits that Khasra No. 264 itself measured around 2500 metres which satisfies the requirement of 1000-1200 metres for construction of Godown.

The learned counsel submits that the mentioning of 'Govindpura' village in the application form happened as a typing error as the said village was mentioned as a source of irrigation in the Jamabandi, however, in the communications exchanged between the Tehsildar, Sanganer and the respondents, 'Village Indrapuri' has been correctly mentioned, which shows that the respondents were well aware about the correct name. He further submits that the search report dated 12.07.2017 mentions both the villages as



being adjacent to each other and are together, called 'Indrapuri Govindpura'.

4. The learned counsel for the respondents, in his reply to the present petition, submits that the information given in the application form by the petitioner regarding the ownership of Khasra No. 264 and the name of the village in which the said land is located, is false/incorrect and as per the 'Note' mentioned in the said form at Page No. 3 and 4, the respondents have rightly withdrawn the LOI issued to the petitioner.

He further submits that the petitioner was well aware about the fact that he did not have the ownership of Khasra No. 264 as mentioned in the order dated 03.03.2016 passed by the learned Sub-Divisional Officer, Sanganer, (II-Jaipur), however, the same was not informed to the respondents till the date of meeting i.e. 21.09.2017.

5. Considered the submissions made by the counsel for the petitioner as well as counsel for the respondents.

6. As per the impugned order (Annex.9), the LoI issued in favour of the petitioner was withdrawn on following grounds:-

- "1. You have mentioned Khasra no. 264 in Vill. - Govindpura in your application form dtd 29.11.2017.*
- 2. During verification from revenue authority, it was observed the same Khasra no. 264 is in the name of*



Shri Ramkaran S/o Shri Ramkishan as per revenue records.

3. In this context please note, Tahsildar Sanganer vide his ref. Rajsv/2018/42 dtd 12.01.2018 stated that Indrapuri & Govindpura are separate Villages and not consider point no. 3 in their earlier letter ref. Rajsv/2017/733 dtd 03.11.2017."

7. The petitioner has submitted the application form for making allocation for setting up of the LPG Distributorship. As per the application form, the petitioner is said to have purchased the land bearing Khasra No.264 situated at Village Govindpura, Tehsil Sanganer vide registered sale deed dated 02.08.2003, of which mutation was opened on 26.07.2004. The petitioner has also placed before this Court the registered sale deed dated 02.08.2003 as Annex.10. On perusal of the said registered sale deed dated 02.08.2003 (Annex.10) it is very much clear that the land bearing Khasra No.264 which is said to have been purchased by the petitioner is of Village Indrapuri, Halka Patwari Sikarpura, Tehsil Sanganer and not of the Village Govindpura. The report of the Tehsildar dated 12.01.2018 as forwarded to the respondent- Corporation says that the Village Indrapuri and Govindpura are two separate revenue Villages. The petitioner is relying on the report of the Tehsildar, Tehsil Sanganer dated 03.11.2017, wherein it is



stated that Village Indrapuri is known by the name of Govindpura. On perusal of the document (Annex.11) dated 12.07.2017 i.e. the letter by the Government Advocate clearly speaks that the Village Indrapuri and Govindpura are two separate villages, may be adjacent to each other. On perusal of the details of the application form submitted by the petitioner, it is revealed that on verification by the Oil Corporation if it is found that the information given by the applicant is incorrect/ false/ misrepresented then his candidature would stand cancelled and would be ineligible for LPG Distributorship. The letters of the revenue authorities clearly speak that the petitioner has submitted false information in the application form.

8. The petitioner is also relying upon a decree dated 03.03.2016. It is pertinent to note that the said decree was passed in a civil suit which was filed in the year 2011 wherein the application form was submitted by the petitioner for LPG Distributorship on 29.11.2007, so, the eligibility would be considered on the basis of the details, informations and documents, on the date of submitting the application form. The petitioner cannot claim any right on the basis of any subsequent transfer of rights over the land by the subsequent decree. As per the Jamabandi of Smvt. 2071 (Annex.5A), the land bearing Khasra No.264 situated in Village Indrapuri was in the joint khatedari of several persons including half share



of the petitioner. The petitioner has not disclosed the complete facts as regards the ownership of the land which he has proposed for establishing the go-down and office of the LPG Distributorship.

9. On going through the complete material available on record, the Court finds no error in the impugned order of withdrawal of the LoI i.e. 26.03.2018.

10. Accordingly, the writ petition is dismissed.

11. In view of the order passed in the main petition, the stay application and pending application/s, if any, also stand dismissed.

(GANESH RAM MEENA),J