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**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

Item No. 1 & 2

**W.P. (C) No. 426 of 2025 with
MC(W.P. (C)) No. 413 of 2025**

All Manipur Bulk LPG Transporters Association and
Anr.

... Petitioners

- Versus -

Indian Oil Corporation Ltd. and 4 Ors.

... Respondents

B E F O R E
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

ORDER

21.08.2025

[1] Present Mr. HS Paonam, learned sr. counsel assisted by Mr. A. Arunkumar, learned counsel for the petitioners; Mr. L. Shashibhushan, learned sr. counsel assisted by Ms. L. Liya, learned counsel for the IOC; Ms. I. Sharmila, learned jr. GA & Mr. A. Bheigya, learned jr. GA on behalf of the State respondent no. 2; Mr. N. Ibotombi, learned sr. counsel assisted by Ms. Jinita, learned counsel for the respondent nos. 6 to 10; Mr. M. Hemchandra, learned sr. counsel assisted by Ms. Rinika M, learned counsel for the respondent nos. 11 to 14 and Mr. N. Jotendro, learned sr. counsel assisted by Md. Syed Murtaza Ahmed, learned counsel for the respondent nos. 15 & 16.

[2] By the present writ petition, the petitioners herein challenged the NIT tender dated 08.03.2025 issued by IOC for bulk transportation of LPG for the State of Manipur. The earlier batch of writ petitions filed by the petitioners was disposed of on the understanding number of TT increase to 350. Thereafter, the petitioners approached again by the present writ petition on the grounds that the number of TT was not adequate and secondly, IOC has given an undertaking in a batch of writ petitions before the Gauhati High Court that in Manipur NIT, TT of 12.5 MT will be given preference.

[3] In the circumstances, this Court made a proposal vide order dated 28.07.2025 on considering the submissions made by the petitioners as well as after perusal the undertaking given by the IOC before the Gauhati High Court for giving preference to the TT of 12.5 MT. This Court suggested that apart from the 10% kept for 14.1 MT TT as provided in the NIT, this Court proposed to give minimum 10% quota for TTs falling to 7 MT & 8.5 MT and the remaining 70%, IOC will be liberty to allocate as per allocation matrix and base amount. The order dated 28.07.2025 passed by this Court is reproduced herein below:

“28-07-2025 Present Mr. H.S. Paonam, learned senior counsel assisted by Mr. A. Arunkumar, learned counsel for the petitioners; Mr. L. Shashibhushan, learned senior counsel assisted by Ms. L. Liya, learned counsel for IOC; Mr. A. Bheigya Meitei, learned junior Government counsel for the State respondents; and Mr. N. Ibotombi, learned senior counsel assisted by Ms. Y. Jinita, learned counsel, Mr. N. Jotendro, learned senior counsel assisted by Md. Syed Murtaza Ahmed, learned counsel and Mr. M. Rendy, learned counsel for the applicants.

This is the second round of litigation with respect to NIT dated 08-03-2025 and various corrigenda. In the order dated 03-06-2025, this Court recorded the submissions of learned senior counsel appearing for the parties that in a batch of writ petitions before the Gauhati High Court, the IOC had taken steps that in Manipur TT of 12.5 MT will be given preference. Vide various orders dated 03-06-2025 and 19-06-2025, this Court directed Page 2 of 2 the learned senior counsel for IOC to clarify the undertaking given before the Gauhati High Court about giving preference to 12.5 MT TT. Pursuant to this, the IOC have filed additional affidavits. However, actual explanation is not recorded in the affidavit except for saying that all TTs having capacity of 7 MT, 8.5 MT and 12.5 MT will be given equal representation as per their allocation and the final selection will be based on allocation and economic viability in the IOC. Thereafter, applications are also filed by various bidders in the NIT for impleadment.

During the course of hearing, Mr. L. Shashibhushan, learned senior counsel for IOC, has also categorically submitted that TTs of 7 MT and 8.5 MT will be accommodated in the bidding process as per allocation. In the circumstances, this Court proposes to dispose of the present writ petition and applications with the following directions:-

- (i). As done in the case of TT of 14.1 MT giving a maximum cap of 10%, it will do justice to all the bidders of various categories if a minimum 10% be reserved each for TTs of 7 MT and 8.5 MT. In the remaining 70%, the IOC is at liberty to allocate as per allocation matrix and considering the economy viability.*

At this stage, Mr. L. Shashibhushan, learned senior counsel for IOC, submits that he may be given two days' time to seek instructions with the proposal made by this Court.

List these cases on 31-07-2025.

Furnish a copy of this order to the learned counsel appearing for the parties in the course of the day by Whatsapp."

[4] The learned sr. counsel for the IOC has filed an additional affidavit dated 18.08.2025 agreeable to the proposal made by this Court in order dated 28.07.2025 with subject to the conditions that any allocations to the 7 MT TT & 8.5 MT TT under the 10% reservation proposed by this Court shall be subject to the adjustment against the 47.5% (15% for SC, 7.5% for ST & 25% for MSE) as horizontal reservation and the relevant portion of the additional affidavit is reproduced herein below:

"2. That, the answering Respondents are ready and willing to agree to the proposal of this court for a minimum reservation of 10% each for TTs of 7 MT and 8.5 MT out of the total requirement of 350 number of TTs equivalent to 7 MT category in the NIT for bulk transportation of LPG by road for the State of Manipur enclosed as Annexure A/16 to the petition subject to the condition that the number of trucks belonging to SC/ST/MSME bidders of 7 MT TTs and 8.5 MT TTs selected under the aforesaid 10% reservation proposed by the court shall be considered for calculating the overall reservation of 47.5% (15% SC, 7.5 ST and 25% MSE) under the SC/ST/MSME and that the said acceptance of the proposal shall not be taken as a precedent in other cases."

[5] During the course of hearing, the learned counsel for the parties fairly submit that the writ petition may be disposed of on the basis of the proposal made by this Court in order dated 28.07.2025 and the additional affidavit dated 18.08.2025 filed by the IOC.

[6] Accordingly, the present writ petition is disposed of with the following conditions:

- I. Minimum 10% quota is earmarked for 7.5 MT TT and minimum 10% quota is earmarked for 8.5 MT TT each.
- II. If sufficient number of TTs under 7 MT and 8.5 MT are not available for the 10% allocated to them and it can be adjusted amongst themselves (i.e. with 20%).

- III. As per NIT, already 10% kept as earmark for 14.1 MT TT and in the remaining 70% IOC has the liberty to allocate as per allocation matrix.
- IV. It is made clear that any allocation made to the 10% each to the 7 MT TT & 8.5 MT TT (by Court order) and 10% is for 14.1 MT TT by NIT shall be adjusted against the 47.5% reservation for (15% SC, 7.5% ST & 25% MSE).

[7] With these observations, the W.P. (C) No. 426 of 2025 and MC(W.P. (C)) No. 413 of 2025 are disposed of.

[8] It is made clear that this Court doesn't express any opinion on the merit of the case.

[9] The above directions are arrived on the mutual understanding agreed by the parties during the course of the hearing and on the basis of the additional affidavit filed by the IOC in pursuance of this Court order dated 28.07.2025.

[10] It is clarified that this matter should not be a precedent for the future and it is passed in the peculiar facts of the present case.

[11] Earlier interim order is merged with the final order.

JUDGE

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