

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Writ Petition No. 10631 of 2015 (O&M)

Date of decision : 23.07.2015

M/s Jagbinder Transport

.....Petitioner

Versus

Indian Oil Corporation Ltd. and others

....Respondents

**CORAM:- HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MRS. JUSTICE LISA GILL**

Present: Mr. TPS Tung, Advocate
for the petitioner.

Mr. Ashish Kapoor, Advocate
for the respondents.

HEMANT GUPTA, J.

The petitioner has sought issuance of work order consequent to Letter of Intent dated 25.03.2015 in relation to contract of transportation of bulk petroleum products.

The petitioner in response to public notice issued by the respondents submitted its tender for transportation of bulk petroleum products on 23.12.2014 quoting 10 tank trucks. The nine tank truck are owned by the petitioner but one of the tank truck was attached tank truck i.e. tank truck bearing registration No. PB03R8823, owned by M/S Maur Service Station. The said tank truck was blacklisted on 31.12.2014.

M/s Maur Service Station while submitting its tender against the same public notice has not quoted the said tank truck as one of the tank trucks available to it. Such fact is recorded in Civil Writ Petition No. 4262

of 2015 filed by it, which was allowed. The said writ petition was allowed for the reason that the said petitioner has not offered the blacklisted tank truck. But the said tank truck has been quoted by the petitioner as one of the tank truck available for the transportation of bulk petroleum products. It is to avoid the tender conditions. The petitioner has relied upon such truck which was not quoted by the owner in own offer made by it. We find that what could not be done directly is sought to be done indirectly. Therefore, the fact that the petitioner has quoted tank truck, which was blacklisted subsequently on the basis of pilferage of petroleum products which was detected in April 2014, can form the reasonable basis for the respondents not to issue work order to the petitioner.

Consequently, we do not find any merit in the writ petition. The same is dismissed.

(Hemant Gupta)
Judge

(Lisa Gill)
Judge

July 23, 2015
rts