

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Writ Petition No. 5560 of 2015 (O&M)

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Date of decision : 01.04.2015

Akash Goyal and others

.....Petitioners

Versus

Hindustan Petroleum Corporation Ltd.

....Respondent

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

Present: Mr. Saurabh Dalal, Advocate for the petitioner.

HEMANT GUPTA, J.

Challenge in the present writ petition is for tender for transportation of bulk white oil petroleum products by road for the period 01.04.2015 till 30.11.2018. The grievance of the petitioners is that they are existing contractors, who have been given contract for transportation of petroleum products for a period of 5 years w.e.f. 01.12.2013. Since the petitioners are existing contractors for transportation of petroleum products, therefore, issuance of fresh tender for inviting bids for the similar product is illegal as during the subsistence of the existing contract, the respondents are prohibited to grant another contract.

We have heard learned counsel for the petitioners and find no merit in the writ petition. The petitioners are the contractors in pursuance of notice inviting tender (Annexure P-1). There is no assurance of specific quantity which is required to be transported by the petitioners. In the absence of any assurance in respect of quantity to be transported, the petitioners cannot make a grievance of awarding

another contract even if the respondents want to give contract of transportation of the same product by inviting fresh tenders. Mere fact that by such contract percentage of profit or the quantity to be transported may get reduced is not the ground on which the petitioners can be permitted to dispute the subsequent tender. The petitioners are not being deprived of their contractual obligations when fresh bids are sought to be invited.

In view thereof, we do not find any merit in the present writ petition, the same is dismissed.

(Hemant Gupta)
Judge

(Lisa Gill)
Judge

April 01, 2015
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