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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 6646/2018 & CM No. 25333/2018**

TATA PETRODYNE LIMITED

..... Petitioner

Through: Mr Soli Cooper, Sr. Advocate with
Ms Pooja Gera and Ms Nishtha
Ghaturvedi, Advocates.

versus

THE UNION OF INDIA & ORS

..... Respondents

Through: Ms Maninder Acharya, ASG, with Mr
P. S. Singh, CGSC, Mr Sahil Sood,
Mr Harshul Choudhary & Mr Viplav
Acharya, Advocates for UOI.
Mr K. P. Sasiprabhu and Mr Somiran
Sharma and Mr Aditya Shandilya,
Advocates for R-2/ONGC.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **13.07.2018**

1. The petitioner has filed the present petition, *inter alia*, impugning a notification dated 05.04.2018 issued by the respondents identifying the Block – Block CB-OS/1 (discovery Gulf-A) – which has been identified for “DSF Policy Bid Round II”. The petitioner states that the said block continues to be the subject matter of the Production Sharing Contract (PSC) entered into between the petitioner and respondent nos.2 & 3 on one part and respondent no.1 on the other part. Respondent no.1 had issued a Show Cause Notice in this regard which has been responded to. It is stated that the matter whether the said bid is to be terminated as yet, is under consideration

as no communication for terminating the PSC has been issued or communicated to the petitioner.

2. The learned counsel appearing for the petitioner earnestly contends that without having communicating a final decision with regard to termination of the PSC, it was impermissible for respondent no.1 to earmark the Block in question for a fresh bidding.

3. The aforementioned contention is, plainly, merited. Respondent cannot commence the process for calling for any bids in respect of the Block in question until it takes an informed decision as to the termination of the PSC.

4. In view of the above, the present petition is disposed of by directing respondent no.1 to delete the reference of Block CB-OS/1 as included in the impugned notification dated 05.04.2018.

5. It is, however, clarified that if respondent no.1 comes to the conclusion that PSC in question has to be terminated, respondent no.1 would not be precluded from taking any further steps subsequent thereto.

6. Needless to state that, if aggrieved, the petitioner is also not precluded in any manner from challenging such decision in accordance with law.

7. The petition is disposed of in the above terms. The pending application is also disposed of.

VIBHU BAKHRU, J

JULY 13, 2018
MK