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

+ **W.P.(C) 560/2020**

M/S SHREE JEEROADLINES AND ORS. Petitioners

Through: Mr.Avneesh Arputham, Ms.Anuradha
Arputham, Ms.Geetanjali, Advs.

versus

BHARAT PETROLEUM CORPORATION LTD. AND ORS.

..... Respondents

Through: Ms.Hetu Arora Sethi, ASC, GNCTD.

Ms.Suparna Srivastava, CGSC with Ms.Nehul
Sharma, Adv. for R-2.

Mr.Rakesh Kumar, Ms.Surbhi Gupta, Advs. for
R1.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **15.01.2020**

CM No. 1507/2020

Exemption allowed, subject to all just exceptions.

W.P.(C) 560/2020 & CM No. 1506/2020

This petition has been filed by the petitioners challenging the notices dated 06.01.2020 issued by the respondent no.1 threatening termination of the contracts awarded to the petitioners for Bulk LPG Transportation. The Show Cause Notices have been issued on the premise of the failure of the petitioners to obtain a certificate from the Commissioner of Industries, Government of NCT of Delhi, certifying their status of Small Enterprises under the Micro, Small and Medium Enterprises Act, 2006 (MSME)

Similar notices issued by the Indian Oil Corporation were

challenged by way of a Writ Petition, being WP(C) No. 13198/2019 titled ***Shree Jee Roadlines & Ors vs. Indian Oil Corporation Ltd. & Ors.***, wherein after hearing the parties the following directions were passed:

“3. In view of the above, it is directed that the petitioners shall supply all the relevant documents in support of their claims of being a Small Enterprises in terms of the MSME Act to the respondent no.4 by 23.12.2019. The respondent no.4 shall verify such documents and render its decision thereon within a period of four weeks of receipt of such documents. It is made clear that if any of the petitioners does not provide the documents to the respondent no.4, the respondent no.4 shall immediately close such inquiry as far as that petitioner is concerned.

4. On inquiry, in case the claim of the petitioner(s) is found to be sustainable, the respondent no.4 shall issue a certificate in terms of the letter dated 17.09.2019 of the respondent no.1.

5. Interim order shall continue for a period of five weeks from today making it clear that whenever the respondent no.4, on verification, refuses to issue such certificate in favour of any of the petitioner(s), the interim order will stand vacated qua such petitioner, however, in that case, the remedy of that petitioner to challenge such decision of the respondent no.4 shall remain open.”

The present petition is disposed of passing similar direction in the present case. The respondent no.1 shall not act on the Show Cause Notice for a period of five weeks from today, subject to the conditions mentioned in the said order.

Dasti under the signature of the Court Master.

NAVIN CHAWLA, J

JANUARY 15, 2020
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