



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. No. 3100 of 2021

M/s. SB Movers & Lifters Pvt Ltd
Represented by its Director
Having its Registered Office at
16, DSIIDC Shed, Okhla Industrial Area, Phase-I
New Delhi .. Petitioner

Versus

M/s. Oil and Natural Gas Corporation Ltd
Represented by its Executive Director Asset Manager
Cauvery Asset, Neravy Complex
Neravy, Karaikkal - 609 604 .. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent's letter KKL/CAU-ASSET/MM/2018/40MT_CRN/202555 dated 14.05.2020, whereby the Respondent has banned/blacklisted the business dealing with the Petitioner and blocked the Tender Vendor Code No.893135 of the Petitioner for a period of one year w.e.f. 03.09.2019, and quash the same as illegal, void, defective, arbitrary and unconstitutional.

For Petitioner : Mr. Sethi Vikas
for M/s.Sethi Law Offices

For Respondent : Mr. Mohamed Fayaz Ali

ORDER

The respondent issued a notification dated 31.08.2018 inviting tender applications for supply of 9 cranes of 40 MT capacity for their ongoing project at ONGC Cauvery Assets, Karaikal. The petitioner, who participated in the tender, was declared as highest bidder. A letter of award dated 21.12.2018 was also issued to the petitioner. However, the petitioner could not commence the work due to dispute among the labourers engaged by him. As the petitioner could not commence the contractual work, after exchange of communications between the petitioner and the respondent, including show cause notice and replies sent by the petitioner, the respondent passed the order dated 14.05.2020 blacklisting the petitioner from participating in the future tenders for a period of one year with effect from 03.09.2019. Aggrieved by the order dated 14.05.2020, this writ petition is filed.



2. Today when this writ petition is taken up for consideration, the learned counsel appearing for the respondent fairly submitted that by the order dated 14.05.2020, the petitioner was prohibited from participating in the future contracts only for a period of one year and the said period already expired. In other words, the learned counsel for the respondent would contend that the petitioner was put on a holiday for a period of one year with effect from 03.09.2019, which will not be an impediment for the petitioner to participate in the tenders that may be floated by the respondent in future.

3. Having regard to the above submission of the counsel for the respondent, no further order is required to be issued in this writ petition. Accordingly, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

dhk/rsh

To

The Executive Director Asset Manager,
M/s. Oil and Natural Gas Corporation Ltd,
Cauvery Asset, Neravy Complex,
Neravy, Karaikkal - 609 604.

+1cc to M/s.Mohamed Fayaz Ali, Advocate SR. No.47158

WP No. 3100 of 2021

RSI (CO)
PR (30/11/2021)