

10.05.2022.
Court No.13
Item No. 44
pk

W.P.A. No. 18198 of 2021
with
I.A. No. CAN 1 of 2022

Prabhat Kumar Jana & Anr.
Versus
Indian Oil Corporation Ltd. & Ors.

Ms. Deboleena Ghosh.

...For the petitioners.

Mr. Amit Kumar Nag,
Mr. Swarajit Dey.

...For the respondent nos.1 to 4.

The writ petitioners were allotted Letter of Intent pursuant to NITs for supply of Tank Trucks for carrying products of the IOC in August 2018. The petitioners have performed the contract which is itself on the verge of its tenure. At this stage the petitioner for the first time challenges the tender conditions and claims special reservation status.

This Court is of the view that prayers have been made at the belated stage after a period of more than 2½ years of having accepted and acted upon the work orders.

The writ petition is not maintainable, inter alia, for the principles of delay waiver acquiescence and estoppel.

The writ petition and the connected applications are dismissed.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)