

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 27695 of 2021

M/s Anjani Travels

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Petitioner

Mr. S. Kashyap, Adv.

Vs.

*Indian Oil Corporation Ltd.,
Khurda and Anr.*

.....

Opposite Parties

Mr. P.K. Rath, Adv.

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE G. SATAPATHY

ORDER

17.08.2022

Order No.

04.

This matter is taken up through hybrid mode.

2. Heard Mr. S. Kashyap, learned counsel for the petitioner and Mr. P.K. Rath, learned counsel appearing for the opposite parties.

3. The petitioner has filed this writ petition seeking to quash the letter dated 22.12.2020 under Annexure-6, by which it was blacklisted for a period of two years, and to issue direction to the opposite parties to release the admitted security deposit and pending bills in its favour within a stipulated time.

4. Mr. S. Kashyap, learned counsel for the petitioner contended the petitioner having been blacklisted for a period of two years, has been put to a lot of difficulties and, as such, the petitioner is entitled to get refund of its admitted security deposit and pending bills, which the opposite parties are liable to refund to the petitioner.

5. Mr. P.K. Rath, learned counsel appearing for the opposite parties contended that the petitioner was blacklisted pursuant to letter dated 22.12.2020 and that two years period has already been expired. Therefore, there is nothing remains for adjudication with regard to blacklisting. So far as refund of admitted security deposit and pending bills is concerned, it is contended that the impugned

letter indicate that the Corporation has decided to put the petitioner-firm on holiday list for a period of two years from 27.04.2020 and also request was made to the petitioner to arrange to settle its account with the opposite parties, if any, on immediate basis within 15 days. It is thus contended that since the letter itself indicates for settlement of amount, it is open for the petitioner to pursue its remedy before the appropriate authority, if it is so advised.

6. Having heard learned counsel for the parties and after going through records, this Court finds that since the blacklisting period has already been over, there is nothing remains to be adjudicated in the present writ petition with regard to the same. So far as refund of admitted security deposit and pending bills is concerned, it is open to the petitioner to pursue its remedy before the appropriate authority of the IOCL by making proper application in accordance with law. In the event, the petitioner approached the authority by filing appropriate application, the same shall be considered and decided by the concerned authority by passing a reasoned and speaking order, as expeditiously as possible, preferably within a period of four months from the date of filing of such application.

7. The writ petition is accordingly disposed of.

Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

(G. SATAPATHY)
JUDGE