

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 5133 OF 2022

M/s. Global SS Construction Pvt. Ltd.

Through its authorised representative

Rajiv Sharma

...Petitioner

Versus

Oil and Natural Gas Corporation

...Respondent

Mr. Bhargav S. Hasurkar a/w Mr. Gautam Jain i/b M. J. Bhatt for the
Petitioner

Mr. Girish Paryani a/w Mr. Vaibhav Kamble for the Respondent–ONGC

**CORAM : REVATI MOHITE DERE &
MADHAV J. JAMDAR, JJ.
THURSDAY, 28th APRIL 2022**

P.C. :

1 Heard learned counsel for the parties.

2 By this petition, the petitioner is aggrieved by the acts of the
respondent-ONGC with respect to the E-tender notice/detailed notice
inviting tender dated 8th April 2022 issued by the GM-I/C Material
Management Dronagiri Bhavan, Uran Plant. According to the learned
counsel for the petitioner, the respondents have illegally restrained the

petitioner from participating in the said tender process by suspending the portal access of the petitioner, resulting in the petitioner being unable to register, participate and offer its bid with respect to the said plant.

3 It appears that there are proceedings pending before the District Court at Mehsana i.e. Interim Application along with application filed by the petitioner-CMA DC-Civil Misc. Application no. 34/2022.

4 During the course of arguments, learned counsel for the respondent-ONGC and learned counsel for the petitioner agree that till such time, the proceedings are decided by the District Court, Mehsana, the respondent-ONGC will not issue letter of award, in the event, the petitioner is a successful bidder.

5 Learned counsel for the parties state, on instructions, that the parties will cooperate in the conduct of the said proceedings and will not seek unnecessary adjournments in interim application along with application filed by the petitioner-CMA DC-Civil Misc. Application No. 34/2022, pending before the District Court, Mehsana. We have no manner

of doubt that the said interim application will be considered/decided by the said Court expeditiously.

6 Needless to state that the respondent-ONGC shall activate the Vendor Code being V838505 to enable the petitioner to participate in the said tender process.

7 In view of the consensus between the parties as aforesaid, nothing survives for further consideration in the petition. Petition is accordingly disposed of.

8 It is made clear that we have not gone into the merits of the case and all contentions of all the parties are kept open.

9 Learned counsel for the respondent to forthwith communicate the above order to the respondent-ONGC.

10 All concerned to act on the authenticated copy of this order.

MADHAV J. JAMDAR, J.

REVATI MOHITE DERE, J.