

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9479 of 2023

M/s Asharfi Road Lines through its Partner, Md. Ifterkhar Khan, Male aged about 47 Years, S/o-Md. Navi Raza Khan, Resident of Village and P.O.-Deona Tiltrath, Ward no. 03, Deonah, District-Begusarai.

... .. Petitioner/s

Versus

1. The Chairman, Indian Oil Corporation Limited Indian Oil Bhavan, G-9, Ali Yavar Jung Marg, Bandra (East), Mumbai, Maharashtra.
2. The Manager Contracts ERO, Regional Contract Cell, IOCL, Md. 9th Floor, Central Wing, Indian Oil Bhavan, 2 Gariahat Road South, Dhakuria, Kolkata, 700068. TIA (Tender Inviting Authority)
3. The CGM (Operations) IOCL, Bihar State Office, 5th Floor, Lok Nayak Jia Prakash BHawan, Dakbunglow Chowk, Patna-1, Bihar.
4. The Executive Director and State Head, Bihar Head Office Indian Oil Corporation Limited (MD), 5th Floor, Lok Nayak Jia Prakash Bhawan, Dakbunglow Chowk, Patna-1, Bihar.
5. The Senior Manager, (Contract Cell), ERO Indian Oil Corporation Limited 5th Floor, Lok Nayak Jia Prakash Bhawan, Dakbunglow Chowk, Patna-1, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Alok Ranjan, Advocate
For the Respondent/s : Mr.Ankit Katriar, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

2 11-07-2023 In the instant petition, petitioner has prayed for the following relief(s):-

“(i) For directing and commanding the respondent authorities to issue LOA (letter of acceptance) to the petitioner, as has been issued to successful bidders who have participated along with petitioner pursuant to NIT (Notice Inviting Tender) bearing Tender



Reference No. RCC/ERO/37/2022-23/PT-175, taking into consideration of the fact that petitioner has successfully qualified in the technical bid and was called for reverse auction/price bid along with other technically qualified transporters/bidders on 22.05.2023 and petitioner (representative) participated on the date fixed and has quoted same rate L1, as quoted by other bidder's/transporters to whom LOA have been issued and the same in a very arbitrary and discriminatory manner has not been issued to the petitioner, without assigning any reason.

(ii) For any other relief or reliefs for which the petitioner is entitled under law in the facts and circumstances of the present case.”

2. In the light of these facts and circumstances, the concerned respondent/competent authority is hereby directed to examine the grievance of the petitioner stated in the representation dated 28.06.2023, and proceed to pass a detailed speaking order and communicate the same to the petitioner within a period of one month from the date of receipt of this order.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

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