

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

**CWP-20070-2023(O&M)  
Date of decision: 12.09.2023**

Guru Kirpa Gas Services

... Petitioner

Versus

Bharat Petroleum Corporation Limited

... Respondent

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI  
HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. Rahul Sharma - I, Advocate, for the petitioner.

Mr. Ashish Kapoor, Advocate, for the respondent.

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**ARUN PALLI, J. (ORAL)**

1. Pursuant to the Letter of Acceptance, dated 23.07.2022, the petitioner was awarded the job of 'Providing commercial vehicles to transport the CNG Cascades: Rohtak – GA of BPCL'.

2. The petitioner is aggrieved by a notice dated 14.08.2023 (P-7), issued by the Corporation for Cancellation of Operations under Termination for Convenience Clause 42 of General Conditions of Contract. As a result, the commercial vehicles of the petitioner would be demobilized by 15.09.2023.

3. Learned counsel for the petitioner asserts that vide representation dated 17.08.2023 (P-8), the petitioner has requested the Corporation to assign reasons and clarify as to why and on what basis the contract between the parties is sought to be terminated, and for invocation of Clause 42 (**Ibid**). So much so, vide letter/e-mail dated 25.08.2023 (P-9), the petitioner had even beseeched the Corporation to discuss the cost consideration, which is mutually beneficial to resolve the issue, if any, between the parties. However, the representation as also the letter/e-mail, referred to above, have not been responded to. Whereas, on the contrary, the

Corporation had already invited fresh tenders qua the same work on 08.03.2023, which, rather unravels the mind and intent of the Corporation.

4. Mr. Ashish Kapoor, Advocate, who is present in Court on behalf of respondent on advance copy, submits that since the competent authority is in seisin of the representations submitted by the petitioner, it would be expedient if the petition is disposed of, at this stage, to enable the Corporation to take cognizance of the concerns/grievances raised by the petitioner. And pass appropriate orders thereon in accordance with law.

5. Learned counsel for the petitioner is agreeable to the course suggested by the learned counsel for the respondent. All what he submits is that the matter being time sensitive, the Corporation be directed to decide the same at the earliest.

6. To which, learned counsel for the respondent submits that the authorities would deal with the representations (**Ibid**) submitted by the petitioner and pass appropriate orders within two weeks from today.

7. In the wake of the above, particularly the statement made by learned counsel for the parties, the petition stands disposed of in terms thereof. This Court is sanguine that the respondent-authority shall pass a comprehensive order assigning reasons in support thereof.

**( Arun Palli )**  
**Judge**

**( Harkesh Manuja )**  
**Judge**

**12.09.2023**

Rajan

Whether speaking / reasoned:  
Whether Reportable:

YES/NO  
YES/NO