

Jvs.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 3240 OF 2024

Offshore Marinotech Pvt. Ltd.	}	Petitioner
versus		
Oil and Natural Gas Corporation Ltd.	}	Respondent

JAYANT
VISHWANATH
SALUNKE

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by JAYANT
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SALUNKE
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Mr. Nakul Jain with Mr. Mridul Sharma i/b. MS
Legal (Advocates & Solicitors) for petitioner.

Mr. Shrikant Pillai with Ms. Shruti Maniar i/b.
M/s. Solomon & Co. for respondent.

**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. &
AMIT BORKAR, J.**

DATE: 1st OCTOBER 2024

P.C.:

1. On being pointed out that in respect of the impugned debarment, the petitioner had invoked the provisions contained in the Office Memorandum dated 6th February 2023 issued by the Government of India, Ministry of Finance (*Vivad se vishwas*: Relief for MSMEs Scheme) twice, firstly by applying to the Government e Market Place (GeM) Portal on 3rd January 2024 and secondly on 22nd March 2024, where prayer made in respect of the impugned debarment was rejected on 19th March 2024 and 13th June 2024 respectively, learned counsel for the petitioner seeks liberty of the Court to challenge the said rejection by way of moving an interim application seeking amendment in the writ petition.

2. Learned counsel representing ONGC, however, states that the decision on the first such claim dated 3rd January 2024 was taken on 19th March 2024, that is to say before filing of the writ petition and hence, the petitioner is guilty of suppressing the material fact and it is not entitled to seek any equitable relief from this Court in this writ petition.

3. It is to be seen that while disposing of the first claim dated 3rd January 2024 under *Vivad se Vishwas* Scheme, the claim preferred by the petitioner was rejected, however, no reason appears to be assigned and accordingly, the petitioner appears to have invoked the said scheme again by putting-forth a claim dated 22nd March 2024, which came to be rejected on 13th June 2024, i.e., after filing of the writ petition.

4. In the aforesaid circumstances, liberty, as prayed for, is granted to the petitioner to move appropriate interim application seeking amendment in the writ petition.

(AMIT BORKAR, J.)

(CHIEF JUSTICE)