

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

**CWP-3852-2024**

**Date of decision: 20.02.2024**

M/s Reliance Structures Private Limited

....Petitioner

Versus

Indian Oil Corporation Limited and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI  
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Sukhesh Kumar Jindal, Advocate,  
for the petitioner.

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

The petitioner has prayed for the following substantive relief:-

*“Civil Writ Petition under Article 226 of the  
Constitution of India for issuance of a writ in the nature of  
Certiorari thereby quashing the termination letter dated  
29.01.2024 (Annexure P-10) passed by respondent No.3,  
vide which, the contract agreement dated 21.09.2023  
(Annexure P-1) awarded to the petitioner has been  
illegally, arbitrarily, erroneously and wrongly terminated*

*And*

*Further, for issuance of a writ in the nature of  
Mandamus thereby directing the respondents to permit the  
petitioner to execute the balance contractual work under  
the contract agreement dated 21.09.2023 (Annexure P-1),  
at the site of the respondents*

*And*

*Further, for issuance of writ in the nature of  
Certiorari thereby quashing the tender No.RPRC234431  
(Annexure P-5), floated on 18.12.2023 by the respondents,*

*in respect of balance work pertaining to the contract awarded to the petitioner.”*

In essence, the petitioner is aggrieved by cancellation of contract dated 21.09.2023 (P-1), that was entered into between the parties, vide communication dated 29.01.2024 (P-10). Even the fresh tender (P-5), that has been floated in relation to execution of the balance work, post cancellation of the contract (*ibid*), has been assailed.

Learned counsel for the petitioner submits that prior to the institution of this petition, the petitioner had even served the respondent authorities with a representation/letter dated 02.02.2024 (P-11), qua its concerns/grievances, but to no avail.

Served with the advance copy of the petition, Mr. Naveen Batra, Advocate, for the respondents IOCL, is present in Court. At the outset, he, on instructions from Mr. Nabajyoti Bora, Chief General Manager, Project, IOCL, Panipat Refinery, Panipat, submits that per the terms of the contract, the petitioner had the option to initiate the conciliation proceedings (Section 9.1.0.0). And in the event, it was still aggrieved, it could also invoke the Arbitration clause (9.0.0.0). At any rate, he submits that he has specific instructions that as the competent authority is already in seisin of the concerns/grievances of the petitioner, it would be expedient if this petition is disposed of, at this stage, to enable the authorities to consider and pass necessary orders on its representation (*ibid*), in accordance with law. Further, he submits that before any such orders are passed, the petitioner shall also be heard. And it may also furnish fresh material/documents, if so advised, to support/substantiate its claim, provided the same are furnished within a week from today.

Learned counsel for the petitioner is in agreement with the course suggested by learned counsel for the respondents and submits that let this petition be disposed of, in terms of the statement made by him. However, it is urged that the authorities be directed to do the needful within a specified time.

In response, learned counsel for the respondents submits that appropriate orders shall be passed within a period of four weeks from today.

The petition is accordingly disposed of, in terms of the statements made by learned counsel for the parties.

This Court is sanguine that the authorities shall look into the matter in the right earnest. And the appropriate orders shall be passed within the time indicated by the learned counsel for the respondents

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the concerns/grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)  
JUDGE

(VIKRAM AGGARWAL)  
JUDGE

20.02.2024  
Ak Sharma

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|---------------------------|--------|
| Whether speaking/reasoned | Yes    |
| Whether reportable        | Yes/No |