



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-10574-2024

Date of decision: 07.05.2024

Subhash Oil store and another

....Petitioners

Versus

Bharat Petroleum Corporation Limited and another

....Respondents

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

Present: Mr. Deepak Aggarwal, Advocate,
for the petitioners.

ARUN PALLI, J. (Oral)

The petitioners have prayed for the following substantive relief:-

“Civil Writ Petition under Articles 226/227 of the Constitution of India for issuance of a Writ, Order or Direction in the Nature of Certiorari for quashing the “Tender For Road Transportation of Bulk POL Products (MS/H50/Branded Fuels/SKO/ATF) by TOP loading Tank Lorries from BPCL Bathinda Depot, Punjab to various locations (Depots/Retail Outlets/direct customers, etc.) Within State (WS) and Outside State (OS)’ bearing E-Tender ID 16053 issued on 05.04.2024 (Annexure P-1) as amended vide Corrigendum-1 dated NIL, issued on 18.04.2024 (Annexure P-2) to the extent that Clause 26.0, the tank lorry registered within the state of Punjab should be given preference in allocation as was given by Indian Oil Corporation Limited in its tender for the year 2023-24 for bulk LPG transportation contract by road from Jammu to Leh (Annexure P-3)

AND



Furthermore, for issuance of a Writ, Order or Direction in the nature of Mandamus for directing the Respondents to take immediate action in pursuance to the objections raised by the Petitions vide Representation dated 04.05.2024 (Annexure P-4) in a time bound manner.”

At the outset, learned counsel for the petitioners submits that prior to the institution of this petition, the petitioners had even served the respondent authorities with a representation dated 04.05.2024 (P-4). It is urged that albeit hardly any time has elapsed since submission of the said representation, but the matter being time sensitive and as the concerns/grievances of the petitioners are not being redressed, they have been constrained to approach this Court.

Served with the advance copy of the petition, Mr. Raman Sharma, Advocate, for the respondents, is present in Court. He, on instructions, submits that as the competent authority is already in seisin of the concerns/grievances of the petitioners, it would rather be expedient if the petition is disposed of, at this stage, to enable the respondent authorities to consider and pass necessary orders on their representation (*ibid*), in accordance with law.

Learned counsel for the petitioners 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 one week from today and shall also be communicated to the petitioners.

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 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 petitioners, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

07.05.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No