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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 19249/2025&CM APPL. 80307/2025**

SGS INDIA PVT LTD.

.....Petitioner

Through: Mr. Jayant Mehta, Sr. Adv. alongwith
Mr. Rahul Sagar, Mr. Simranjeet
Singh, Mr. Gautam T., Mr. Rishabh
Pant and Ms. Apurba Dulta,
Advocates.

versus

INDIAN OIL CORPORATION LTD.

.....Respondent

Through: Mr. Amit Meharai, Ms. Tannishtha
Singh, Mr. Sambhav and Mr.
Shashwat Roy, Advocates.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER
23.12.2025

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1. The present petition has been filed by the petitioner assailing an order/communication dated 18.11.2025 issued by the respondent, whereby the petitioner has been sought to be placed on a "Holiday Listing" and consequently, "debarred from entering any contract with Indian oil Corporation Limited and Chennai Petroleum Corporation Limited and be removed from the list of approved vendors/contractors from 18.11.2025 to 13.11.2026".
2. Subsequently, the Holiday Listing of the petitioner, in terms of the action taken by IOCL, was confined for a period of three months w.e.f. 18.11.2025. The said period comes to an end on 17.02.2026.
3. The petitioner is aggrieved by the fact that the Holiday Listing action was taken against the petitioner without issuing a Show Cause Notice and



therefore, in contravention of the judgment of the Supreme Court in ***Gorkha Security Services vs. Govt. (NCT of Delhi)***, (2014) 9 SCC 105.

4. It is further contended that in any event, since the period of Holiday Listing is confined for a period of three months with effect from 18.11.2025, the same cannot possibly come in the way of the petitioner participating in the selection process pursuant to the Expression of Interest (EOI) issued by the respondent for “empanelment for third party inspection agencies for IOCL Refineries Division” for the period 01.05.2026 onwards.

5. There is merit in the contention of the petitioner that if the petitioner is precluded from participating in the process initiated pursuant to the aforesaid empanelment, the same will *de facto* result in extending the Holiday Listing well beyond the period envisaged in the impugned order.

6. It is also noticed that in terms of the Holiday Listing Policy of IOCL, it was incumbent upon IOCL to issue a Show Cause Notice prior to taking Holiday Listing/debarment action, which admittedly was not done in the present case.

7. Be that as it may, learned senior counsel for the petitioner confines himself to seeking that the petitioner be allowed to participate in the selection process pursuant to the issuance of the aforesaid EOI, so that the Holiday Listing of the petitioner does not come in the way of its attempt to seek empanelment for the period 01.05.2026 onwards.

8. In the circumstances, the present petition is disposed of with the direction that the petitioner shall be entitled to participate in the process initiated by the respondent for empanelment of third party inspection agencies for IOCL Refineries Division, for the period 01.05.2026 onwards.

9. It is made clear that, since the Holiday Listing period of the petitioner



comes to an end on 17.02.2026, the same shall not pose any impediment to the consideration of the petitioner's request/proposal for empanelment for the period 01.05.2026 onwards.

10. The Holiday Listing of the petitioner for the period up to 17.02.2026, shall continue.

11. The present petition stands disposed of in the above terms.

12. It is made clear that this order has been passed in view of the peculiar facts and circumstances of the present case.

13. Let a copy of this order be given *dasti* under the signatures of Court Master.

SACHIN DATTA, J

DECEMBER 23, 2025/at