

20.03.2026
Court No.25
D/L No.16
S. Gayen

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA 6378 of 2026

**M/s. Karamveer Singh & Ors.
Versus
The Union of India & Ors.**

Mr. Kalyan Kumar Bandopadhyay, Sr. Adv.
Mr. Sirsanya Bandopadhyay
Ms. Utsa Poddar
Ms. Sneha Sarkar

...for the Petitioners

Mr. Amit Kumar Nag
Ms. Rishita Sarkar

...for the IOCL

1. In terms of the tender notice, the petitioners have participated for Bulk LPG transportation contract by road for the State of West Bengal. As per the corrigendum issued by the authorities it is mentioned that in case the bidder fails to submit the required documents with change of name, etc. within four months of issue of LOI, suitable penal action shall be taken, which may include EMD forfeiture, caution money forfeiture, termination of order of such TTs and blacklisting of such TTs. Under no circumstances will the abovementioned timeline be extended. In such cases, the contracting corporation reserves the right and shall be at liberty to induct TTs as per the

methodology mentioned in the tender to fulfill the shortfall arising thereof.

2. It is the allegation upon the petitioners that the transfer of the name of five trucks has not been carried out by the petitioners within the stipulated period of time as mentioned in the corrigendum of the tender process. Accordingly, on 5th March, 2026, the respondent authorities have issued the show cause notice informing that as per the condition, the transfer of the truck documents (Registration Certificate and PESO license) in name of the purchaser was supposed to be completed within four months of issuance of the LOA but the petitioners have not done so. Accordingly, the TTs have been placed under suspension with immediate effect and the petitioners are directed to submit the reply to the show cause notice within seven days from the date of receipt of this communication and the petitioners have submitted the show cause reply.
3. The petitioners have filed the supplementary affidavit stating the trucks of the petitioner No.1 under the ATS framework were transferred in the name of the petitioner on 14th January, 2026 and PESO license is transferred on 23rd February, 2026. As regard, the vehicles of the petitioner No.2, three vehicles have been transferred in the name of the petitioner and PESO license has also been issued but with regard to one

vehicle, the registration has been transferred but with transfer of the PESO license is under process.

4. Learned counsel for the petitioners submits that the respondent authorities have issued the show cause notice by imposing the penalty of the suspension which is not in accordance with law. The authorities ought to have issued the show cause notice by giving an opportunity of hearing to the petitioners to transfer the name and PESO license but instead the authorities have issued the show cause notice by suspending the TTs of the petitioners. Being aggrieved by the said act, the petitioners have filed the present writ application.
5. *Per contra*, the learned counsel appearing for the respondent authorities submits that at the time of issuance of the LOI, the petitioners have submitted an undertaking stating that the petitioners will take appropriate steps for transferring of the name and other formalities within four months of issuance of LOI but the petitioners have neither transferred the ownership of the vehicle nor taken any steps with regard to the PESO license, even the petitioners have not made any representation for extension of time for transfer of the name as well as the PESO license. Accordingly, the authorities have no other alternative but issued the show cause notice by suspending TTS of the petitioners.

6. Learned counsel for the respondents submits that as per the penalty made clause, the TTs of the petitioners have been suspended with the opportunity to file reply whether further penalty can be imposed upon the petitioners or not.
7. This Court finds that as the petitioners have not transferred the name and PESO license as per time prescribed in the tender document, issued show cause notice by suspending TTs of the petitioners. The respondents in the show cause notice itself imposed punishment of suspension. The respondents before suspending the TTs of the petitioners ought to have issued an opportunity of hearing to the petitioners.
8. Now the petitioners have filed supplementary affidavit disclosing documents to show that out of five vehicles, registration and PESO license have been transferred with respect of four vehicles. As regard one vehicle registration is transferred but PESO license is under process.
9. Considering the above, this Court finds that no purpose would be served by keeping the writ petition pending. Accordingly, the writ petitioner is disposed of by staying the operation of the show cause notice with regard to the suspension of the TTs of the petitioners. The petitioners have already filed reply to the show cause notice. The petitioners are given further liberty to file supplementary reply to the show cause notice

within a week from date by disclosing the documents by showing that the ownership of the four vehicles has been transferred along with the PESO license and with regard to one vehicle, the PESO license is under consideration. If any supplementary reply is filed by the petitioners, the authorities shall consider the same along with earlier reply and to pass reasoned and speaking order within a period of three weeks from the date of receipt of this order.

10. Considering the peculiar facts and circumstances of this case, this Court is of the view that if the authorities pass any order against the petitioners in connection with show cause notice, the same shall not be given any effect to for a period of one week from the date of the order.

11. WPA 6378 of 2026 is disposed of.

12. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

13. Urgent Photostat certified copy, if applied for, be given to the parties upon compliance with all formalities.

(Krishna Rao, J.)