

30.03.2026
Court No.25
D/L No.11
S. Gayen

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

WPA 7477 of 2026

M/s. Sewak Enterprises
Versus
The Union of India & Ors.

Mr. Kalyan Kumar Bandopadhyay, Sr. Adv.
Mr. Rahul Kumar Singh
Ms. Utsa Podder
Ms. Sneha Sarkar

...for the Petitioner

Mr. Amit Kumar Nag
Ms. Rishita Sarkar

...for the IOCL

1. The petitioner has filed the present writ application challenging the show cause notice dated March 5, 2026 wherein the respondents have placed the TTs of the petitioner under suspension with immediate effect on the ground that the petitioner has not transferred the ownership and the PESO license within stipulated period of four months from the date of LOA. The petitioner has filed reply to the show cause notice informing the respondent authorities that the ownership of the vehicle as well as PESO license has already been transferred in the name of the petitioner. Pending writ petition, the respondent authorities have issued the order dated March 26, 2026 by terminating the contract of the petitioner on the ground that the reply submitted by the petitioner is not satisfactory.

2. The LOA was issued to the petitioner on August 27, 2025. As per the terms and conditions of the contract, the petitioner has to transfer the ownership of the vehicle as well as the PESO license within a period of four months from the date of LOA. The petitioner has disclosed the registration certificates of four vehicles in question, out of which three vehicles have been transferred in the name of the petitioner on January 13, 2026 and one vehicle has been transferred in the name of the petitioner on January 14, 2026. The petitioner has also disclosed the PESO license wherein it reveals that the PESO license is transferred in the name of the petitioner with respect to two vehicles on February 2, 2026 and one vehicle on February 5, 2026 and another vehicle on February 4, 2026. Though the petitioner has given the details of the transfer of the ownership as well as the PESO license but the authorities, without considering the same, have passed the impugned order dated March 26, 2026 by terminating the contract of the petitioner.
3. Learned counsel appearing for the respondent authorities submits that the LOA was issued on August 27, 2025 and as per the terms and conditions the petitioner has to transfer the ownership and the PESO license by December 26, 2025, i.e., within four months but the petitioner has not transferred the same and accordingly the authorities, have no other

alternative, have issued the show cause notice. In the reply, the petitioner has submitted the ownership as well as the PESO license has been transferred but the petitioner has not given any reason why the petitioner has not taken any steps for transfer of ownership within a period four months in terms of the contract. The authorities have not satisfied with the show cause reply and passed the impugned order.

4. This Court finds that as per the terms and conditions of the contract, the petitioner has to transfer the ownership of vehicles as well as the PESO license within four months but the same has not been transferred within the stipulated period. The respondent authorities have issued the show cause to the petitioner on March 5, 2026 by that time the ownership as well as the PESO license has already been transferred and in the show cause reply, the petitioner has informed the same but the authorities have not considered the reply submitted by the petitioner wherein the petitioner has categorically stated that the ownership as well as the PESO license has been transferred. The petitioner has also relied upon the documents wherein it reveals that though the authorities have issued the show cause notice on the ground that the ownership as well as the PESO license has not been transferred but the petitioner was allowed to continue the work with the respondent authorities.

5. This Court finds that the show cause notice and termination order have been issued only for the reason that the vehicles and PESO license have not been transferred within a period of four months in the name of the petitioner. The petitioner has disclosed the documents wherein the ownership as well as the PESO license has been transferred in the name of the petitioner. The respondent authorities, in the impugned order of the termination, not assigned any reason why the show cause reply submitted by the petitioner along with details of transfer of ownership and PESO license is not considered but the fact remains that without transfer of ownership and PESO license, the respondents have engaged the vehicles of the petitioner on February 8, 2026, February 9, 2026, February 11, 2026 and February 13, 2026.
6. In view of the above, this Court finds that the petitioner has got the vehicles as well as the PESO licensed transferred in its name and the respondents have not assigned any reason why the show cause reply submitted by the petitioner along with the details of vehicles have not been considered. Accordingly, the show cause notice and the impugned order of termination are set aside and quashed.
7. This order will not prevent the respondents for taking appropriate action if any against the petitioner in

accordance with law by giving an opportunity of hearing to the petitioner.

8. WPA 7477 of 2026 is disposed of.
9. As the writ petition is disposed of at the motion stage without calling for any affidavit, the allegations made in the writ petition deemed to have been denied.
10. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.
11. Urgent Photostat certified copy, if applied for, be given to the parties upon compliance with all formalities.

(Krishna Rao, J.)