

30.06.2026
Court No.25
D/L No.16
S. Gayen

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 14455 of 2026

S. R. Logistics
Versus
The Union of India & Ors.

Mr. Abhrotosh Majumder, Sr. Adv.
Mr. Tanmoy Mukherjee
Mr. Souvik Das
Mr. Rudranil Das
Mr. Abul Mullick

...for the Petitioner

Mr. Amit Kumar Nag
Ms. Rishita Sarkar

...for the IOCL

Mr. Billwadal Bhattachryya, Sr. Adv.
Mr. Suryaneel Das
Mr. Chiranjit Pal
Mr. Indrasis Bose

...for the Respondent Nos. 8, 10, 14 to 17

Mr. Supratim Dhar, Sr. Adv.
Mr. Joy Chakraborty
Mr. Sandip Dinda

...for the Respondent Nos. 12 and 13

1. The petitioner has filed the present writ application challenging the tender process issued by the Indian Oil Corporation Limited (IOCL) for road transportation of bulk petroleum products - black oil, ex location - Haldia Refinery Terminal.
2. Mr. Abhrotosh Majumder, learned senior counsel appearing for the petitioner submits that as per the pre-qualified criteria, maximum five numbers of tank trucks (TTs) to be offered, out of which, minimum three TTS should be owned and the self certified copy of the registration certificate (Form 23/20A) to be submitted for each offered TTs. The bidders should also submit

the maximum five compartments with TTs capacity of 18, 20, 24, 26, 28, 29 KL to the maximum 35 KL. Self certified copy of calibration certificate issued by the Legal Metrology Mentioning Compartment to be submitted for each ready built TTs offered.

3. Learned counsel for the petitioner submits that the maximum numbers of TTs that can be offered by the bidder is 8. The main grievance of the petitioner in the present application that the bidders who have participated in the said tender, they have purchased new oil tank and as per the invoices the date of oil tanker is after the date of registration of the said oil tankers. He submits that without invoice, vehicle cannot be registered.
4. He further submits that in reply to the letters of Hon'ble MP of the Loksabha of Balmikinagar, Bihar, the IOCL has sent a reply to the query raised by the Hon'ble MP wherein, it is mentioned by the IOCL that in the tender document the registration of the RTO shall be verified before the issuance of the letter of acceptance (LoA). If any stage, any documents have found to be forged or if the information that has been given is found to be false then the concerned bid shall be rejected and proper action has to be taken.
5. Mr. Majumder further brought to the notice of this Court to one of the document of M/s. Durga Oil Carrier and submits that the said firm has submitted bid on April 6, 2026 at 11:05 pm but subsequently on April 9, 2026 at 8:45 pm he has further submitted bid

document, which is not permissible. He further submits that as per the tender condition, the tenders not meeting the tender terms and conditions or incomplete in any respect or with any additions/deletions or modifications are liable to be summarily rejected without any further communication to the tenderers and decision of IOCL in this respect shall be final and binding but in the present case, the IOCL Authorities have not complied with the terms and conditions and accepted the documents submitted by the tenderers after submission of the bid document.

6. Learned counsel for the IOCL submits that as per the bid document, there will be no verification of the RTO registration document at the time of tender valuation. The parties will be selected on the basis of the information submitted in the tender document. The RTO registration will be verified at the State Office before issuance of the letter of intent (LoI). He further submits that in case if it is found that the information submitted in the tender document is not correct, suitable action will be initiated against the tenderer. Learned counsel for the IOCL further submits that only after verification of the RTO registration certificate, the IOCL has issued LoI to some of the tenderers and further issuance of the LoI is under process. He further submits that with regard to what document the tenderers have relied upon at the time of registrant is not the duty of the IOCL. The IOCL has only to see

whether the document which has been submitted by the tenderers are in accordance with the tender condition or not.

7. Mr. Bhattacharyya, learned senior counsel appearing for the respondent Nos. 8, 10, 14 to 17 submits that the respondents were having the sufficient documents to establish that they are the registered owners of the vehicle and as per the invoices submitted by the said bidders, the registering authority has registered the vehicle and after verification of the documents submitted by the respondents, the IOCL is issuing LoI to the successful bidders.
8. Mr. Dhar, learned senior counsel appearing for the respondent Nos. 12 and 13 submits that they were also having the documents to show the said vehicle of the respondents have been registered in their names and the IOCL has satisfied with the documents submitted by the respondents and as such, the submission made by the learned counsel for the petitioner cannot be taken into consideration. He further submits that after opening of the tender, two rounds of verification has been carried out by the IOCL and after being satisfied with the documents submitted by the respondents, the IOCL is issuing LoI to the successful bidders.
9. Learned counsel for the respondents pray for time to file affidavit-in-opposition.
10. Heard the learned counsel for the respective parties.

11. The grievance of the petitioner in the present writ application is that some of the vehicles which are the subject matter of the tender, the invoices are the subsequent dates from the date of the registration and some of the firms submitted their bid document but the date of registration of the vehicles are subsequent to the submission of the documents. It is further case of the petitioner that how vehicles have been registered prior to the date of invoice.
12. Considering the above, this Court finds that as per the terms and conditions of the tender, the IOCL has to see whether the firm who has participated in the said tender having the vehicle registered in their name and they have to verify with regard to the registration document of the respective vehicles, whether the vehicle has been registered illegally or in accordance with law is not the duty of the IOCL to see at this stage.
13. This Court *prima facie* finds that the document which the private respondents have relied upon for getting the LoI for supply of the TTs, they are the registered owner of the vehicle in question and the IOCL are verifying the registration certificate of the concerned vehicles. This Court finds that, at this stage, the petitioner has failed to make out the *prima facie* case to pass any interim order. Accordingly, the interim order is refused.
14. The respondents are directed to file affidavits-in-opposition within a period of three weeks from date, reply, if any, be filed within two weeks thereafter.

15. Let the matter appear on August 7, 2026 at 12 noon.
16. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Krishna Rao, J.)