

**WRIT OF CERTIORARI AND MANDAMUS TO BE FILED BEFORE
THE HIGH COURT (WRIT PETITION) CHALLENGING THE
ALLOTMENT OF THE TENDER**

IN THE HIGH COURT OF JUDICATURE AT _____

_____ JURISDICTION

WRIT PETITION NO. OF _____

In the matter of Articles 12,
14, 19 and 226 of the
Constitution of India;

AND

In the matter of dispute
arising out of the Tender
Number: _____
published _____ by
_____;

AND

In the matter of the decision
dated _____ of
_____ rejecting the bid
of _____;

AND



In the matter of the decision
of _____ declaring
_____ as lowest of
these offers/lowest bidder
(‘L-1’)

_____, a private limited)
company incorporated under the)
provisions of the Companies Act,)
1956/2013 having its registered)
office at _____)
_____)
... Petitioner

Versus

1. _____ through)
h its (Marketing Division), having its)
office address at)
_____)
_____)

2. _____, a company)
incorporated under the provisions of)
the Companies Act, 1956/2013)
having its registered)
office at _____)
_____)

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) ... Responden
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TO,

**THE HON'BLE CHIEF JUSTICE AND OTHER PUISNE
JUDGES OF THIS HON'BLE COURT**

**THE HUMBLE PETITION OF THE
PETITIONER ABOVENAMED**

MOST RESPECTFULLY SHEWETH:

1. The Petitioner is a private limited company incorporated under the provisions of the Companies Act, 1956/2013, having its address as mentioned in the cause title.
2. Respondent No. 1 is a public limited company having its office at the address as mentioned in the cause title. Respondent No. 1 is engaged in the business, *inter-alia*, of storage, refining, sale and distribution of petroleum products. Respondent No. 1 is controlled and managed by the Government of India and is a Public Sector Undertaking. The activities carried on by Respondent No. 1 are of national importance and are carried on for the welfare of the public and are activities of the nature carried on by a modern welfare State. Accordingly, Respondent No. 1 is an instrumentality of the State and is therefore 'State' within the meaning of Article 12 of the Constitution of India, amenable to the writ jurisdiction of this Hon'ble Court.
3. Respondent No. 2 is a private limited company incorporated under the provisions of the Companies Act 1956/2013 having its registered

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FOR PREVIEW**

PREVIEW