



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**

S.B. Civil Writ Petition No. 18569/2026

CNR: RJHC010780952026 | URN: CW / 32060U / 2026

M/s Bamniya Automobiles, Through Power Of Attorney Holder
Sh. Sunny Bamaniya, S/o Suresh Kumar Bamaniya Aged About
35 Years, R/o Mohalla Vidya Ka Dungara, Dungarpur (Raj.).

-----Petitioner

Versus

1. Chief General Manager (Operation), Indian Oil Corporation Limited, Rajasthan State Office, Indian Oil Bhawan, Ashok Chowk, Adarsh Nagar, Jaipur
2. Executive Director (Operations), And State Head (Rso) Indian Oil Corporation Limited, Rajasthan State Office, Indian Oil Bhawan, Ashok Chowk, Adarsh Nagar, Jaipur.

-----Respondents

For Petitioner(s)	:	Mr. Divik Mathur
For Respondent(s)	:	Mr. Nishant Bora Mr. Dheeraj Jangid

HON'BLE DR. JUSTICE NUPUR BHATI

Order

03/10/2026

1. This writ petition has been filed by the petitioner with the following prayers:

- “(i) By an appropriate writ, order, Or direction, the ex-parte impugned order dated 15.12.2025 (Annex.12) passed by respondent-Chief General Manager (Operation) may kindly be quashed and set aside; and the
- (ii) By an appropriate writ, order, or direction, the ex-parte impugned order dated 14.02.2026 (Annex.14) passed by the respondent-Executive Director and State Head (Appellant Authority), may kindly be quashed and set aside; and
- (iii) By an appropriate writ, order, or direction, the respondent-Indian Oil Corporation Ltd. (IOCL) may be directed to re-continue and restore the agreement dated 12.03.2018 (Annexure-3)

executed between the petitioner and the



respondent-IOCL, thereby reinstating the petitioner's contractual rights obligations which were and arbitrarily disrupted by the impugned orders.

(iv) The cost of the petition may kindly be awarded to the petitioner; and

(v) Any other appropriate, writ order or direction which this Hon'ble Court just deems and proper in the facts and circumstances of the case may also be passed."

2. Briefly stated, the facts of the case are that the petitioner firm, a registered Medium Enterprise under the MSME Act solely owned and managed by Smt. Chanda Bamnia, entered into an agreement dated 12.03.2018 with the respondent Indian Oil Corporation Limited (IOCL) for the transportation of petroleum products through its tanker bearing registration No. RJ-12-GA-3895, driven by one Rajendra Singh. Following several years of unblemished service, an inspection of the tanker was conducted on 05.08.2025 by IOCL officials behind the petitioner's back—in flagrant violation of natural justice as well as Clause 5 of the Unified Guidelines dated 20.12.2024 framed under the Legal Metrology Act—followed by the registration of FIR No. 0135/2025 on 06.08.2025 under Sections 3 and 7 of the Essential Commodities Act, 1955, alleging unauthorized extraction of fuel. In the parallel statutory confiscation proceedings initiated under Section 6A of the EC Act before the Additional District Magistrate, Udaipur (partly allowed vide order dated 26.09.2025), the petitioner preferred an appeal under Section 6C before the learned District & Sessions Judge, Udaipur, which was allowed on 28.11.2025, setting aside the confiscation of the tanker, 4,000 liters of diesel, and 7,277 liters of petrol. In the interregnum, respondent-IOCL issued a Show Cause Notice dated 30.09.2025 alleging malpractices, to which the petitioner sought extensions of





time on 27.10.2025 and 03.01.2026 owing to medical grounds and parallel litigation; however, the respondents prematurely and ex parte passed the impugned order dated 15.12.2025, blacklisting the tanker and its crew for two years with effect from 05.08.2025 and imposing a penalty of Rs.1,00,000/-. The departmental appeal preferred by the petitioner under Clause 6-C of the Holiday Listing Guidelines was mechanically dismissed by the Appellate Authority/Executive Director (Operations) vide impugned order dated 14.02.2026, compelling the petitioner to invoke the extraordinary writ jurisdiction of this Court.

3. Learned counsel for the petitioner restricts his submissions to the ground that, before passing the impugned order dated 14.02.2026 blacklisting the petitioner, no reasonable opportunity of hearing was afforded to him. He submits that the respondents issued a show-cause notice dated 30.09.2025 (Annexure-10) to the petitioner, however, on account of his ill health, the petitioner sought further extension of time thereafter, without duly considering the said request, the respondents proceeded to pass the impugned order while blacklisting the petitioner.

4. Learned counsel appearing for the respondents submits that the petitioner was afforded as many as four opportunities in the matter. He submits that the petitioner's response to the show-cause notice was duly considered and, thereafter, vide e-mail dated 29.10.2025 (Annexure-R/2), the petitioner was granted an opportunity to appear before the respondents on 03.11.2025, however, the petitioner failed to appear on the said date. He submits that thereafter, vide e-mail dated 11.11.2025, the time was further extended up to 18.11.2025, but the petitioner again





failed to appear and subsequently, vide e-mail dated 18.11.2025, yet another opportunity was granted by extending the date of appearance to 02.12.2025. He also submits that even on the said date, the petitioner did not appear before the respondents. Learned counsel for the respondents submits that, in these circumstances, the respondents proceeded to pass the appropriate order against the petitioner. He further submits that the petitioner has failed to demonstrate before this Court that he was denied a reasonable opportunity of hearing before passing the impugned order.

5. Heard learned counsel for the parties and perused the material available on record.

6. Upon perusal of the e-mails placed on record as Annexure-R/ 2, it is evident that the petitioner was afforded repeated opportunities to appear before the respondents on 03.11.2025, 18.11.2025 and, lastly, on 02.12.2025. However, the petitioner failed to avail any of the aforesaid opportunities. It is further borne out from the record that, after receipt of the show-cause notice, the request made by the petitioner for extension of time was duly considered and the time initially granted for submitting his explanation up to 15.10.2025 was extended up to 03.11.2025. Thereafter, upon the petitioner failing to appear on 03.11.2025, a further opportunity was granted up to 18.11.2025, and subsequently, the time was again extended up to 02.12.2025. Thus, the record reflects that the respondents, on more than one occasion, extended the time and afforded opportunities to the petitioner to appear and place his explanation/response on record. Despite such repeated opportunities, the petitioner failed to



appear before the respondents or avail the opportunities so granted.

7. It is also pertinent to note that the e-mails relied upon by the respondents (Annexure-R/2) for demonstrating that repeated opportunities were afforded to the petitioner have not been disputed by it. The petitioner has neither controverted the issuance or contents of the said e-mails nor filed any rejoinder specifically disputing the fact that the aforesaid opportunities were afforded to it. There is, therefore, no material on record to disbelieve or rebut the correspondence placed by the respondents evidencing the opportunities granted to the petitioner. In the absence of any specific denial or material brought on record by the petitioner to controvert the said correspondence, the fact that the petitioner was afforded the aforesaid opportunities remains undisputed on the record.

8. In view of the aforesaid facts and circumstances, this Court finds that the petitioner has failed to establish that the impugned order was passed in violation of the principles of natural justice or without affording him a reasonable opportunity of hearing. On the contrary, the material available on record demonstrates that, after issuance of the show-cause notice, the petitioner's request for extension of time was considered and the time granted to the petitioner was extended on successive occasions, with opportunities to appear before the respondents on 03.11.2025, 18.11.2025 and 02.12.2025. The petitioner, however, failed to avail any of the aforesaid opportunities. The grievance of denial of reasonable opportunity, therefore, is not substantiated from the material available on record.



9. In the given facts and circumstances, no ground is made out for interference by this Court in exercise of its writ jurisdiction. Accordingly, the writ petition is dismissed.

10. Stay petition as well as all pending applications, if any, also stand dismissed.

(DR.NUPUR BHATI),J

45/Surbhi Sharma

