

GAHC010000922020



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/91/2020

M/S. KEDARNATH KAILASHPATI AND 2 ORS.
REP. BY THE PETITIONER NOS. 1 AND 2 AS PARTNERS OF THE FIRM,
HAVING ITS H.O. AT DIGBOI, P.O. DIGBOI, DIST.- TINSUKIA, ASSAM, PIN-
786171

2: KAILASHPATI SHAW
S/O- LT. CHHANGALAL SHAW
R/O- DIGBOI CHARIALI BAZAR
P.O. DIGBOI
DIST.- TINSUKIA
ASSAM
PIN- 786171 (PARTNER)

3: ON THE DEATH OF RAMBILASH GUPTA ALIAS SHAW @ SHAW HIS
LEGAL HEIR

SANTOSH GUPTA
D/O. LATE RAMBILASH GUPTA @ SHAW
W/O. SRI SHATRUGHAN PRASAD GUPTA
R/O. MAYA BAZAR
NEAR KOTWALI SOUTH
P.O. GOLGHAR
GORAKHPUR
UTTAR PRADESH
PIN- 273001

VERSUS

THE UNION OF INDIA AND 5 ORS.
REP. BY THE SECY. TO THE GOVT. OF INDIA, MINISTRY OF PETROLEUM
AND NATURAL RESOURCES, NEW DELHI

2: THE INDIAN OIL CORPORATION LTD.
A GOVT. OF INDIA ENTERPRISE

REP. BY ITS CHAIRMAN
HAVING ITS REGD. OFFICE AT G-9
ALI YAVAR JUNG MARG
BANDRA (EAST)
MUMBAI- 400051

3:THE INDIAN OIL CORPORATION LTD.
ASSAM OIL DIVISION
REP. BY ITS GENERAL MANAGER
DIGBOI
PIN- 786171
DIST.- TINSUKIA
ASSAM

4:THE SENIOR DIVISIONAL RETAIL SALES MANNAGER
INDIAN OIL CORPORATION LTD.
TINSUKIA INTEGRATED DIVISIONAL OFFICE
TINSUKIA
PIN- 786125

5:THE DY. GENERAL MANAGER (RETAIL SALES)
IOAOD
STATE OFFICE
NOONMATI
GHY
ASSAM

6:JITENDRA SHAW
S/O- LT. KEDARNATH SHAW
A.T.ROAD (BUNGLOW)
NEAR STATE BANK OF INDIA
DIGBOI
DIST.- TINSUKIA
PIN- 78617

Advocate for the Petitioner : MR. A C BURAGOHAIN, MR. B P BORAH,MR H
BURAGOHAIN,MS A DEVI

Advocate for the Respondent : ASSTT.S.G.I., SC, I O C,MR H GUPTA,MR. B GOGOI,MR P
NAYAK,MR. D SAIKIA

M/S. KEDARNATH KAILASHPATI AND ORS.
REPRESENTED BY THE PETITIONER NOS. 2 AND 3 AS PARTNERS OF THE
FIRM
HAVING ITS HEAD OFFICE AT DIGBOI
P.O. DIGBOI
DIST. TINSUKIA
ASSAM
PIN-786171.

2: KAILASHPATI SHAW
S/O. LATE CHHANGALAL SHAW
R/O. DIGBOI CHARIALI BAZAR
P.O. DIGBOI
DIST. TINSUKIA
ASSAM
PIN-786171 (PARTNER).

3: RAMBILASH GUPTA @ SHAW
S/O. LATE CHHANGALAL SHAW
R/O. 122/51
J.N. MUKHERJEE ROAD
GHUSURI
DISTRICT-HOWRAH
WEST BENGAL (PARTNER).
VERSUS

THE UNION OF INDIA AND ORS.
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA
MINISTRY OF PETROLEUM AND NATURAL RESOURCES
NEW DELHI-110001

2:THE INDIAN OIL CORPORATION LTD.
A GOVERNMENT OF INDIA ENTERPRISE
REPRESENTED BY ITS CHAIRMAN
HAVING ITS REGISTERED OFFICE AT G-9
ALI YAVAR JUNG MARG
BANDRA (EAST)
MUMBAI-400051

3:THE INDIAL OIL CORPORATION LTD.
ASSAM DIVISION.
REPRESENTED BY ITS GENERAL MANAGER
DIGBOI
PIN-786171
DIST. TINSUKIA
ASSAM.

4:THE SENIOR DIVISIONAL RETAIL SALES MANAGER

INDIAN OIL CORPORATION LTD.
TINSUKIA INTEGRATED DIVISIONAL OFFICE
TINSUKIA
PIN-786125

5:THE DEPUTY GENERAL MANAGER (RETAIL SALES) IOAOD
STATE OFFICE
NOONMATI
GUWAHATI
ASSAM. PIN-781020

6:JITENDRA SHAW
S/O. LATE KEDARNATH SHAW
A.T. ROAD (BUNGLOW)
NEAR STATE BANK OF INDIA
DIGBOI
DIST. TINSUKIA
PIN-786171

Advocate for : MR. H BURAGOHAIN
Advocate for : ASSTT.S.G.I. appearing for THE UNION OF INDIA AND ORS.

Linked Case : Cont.Cas(C)/71/2018

JITENDRA SHAW
S/O- LT KEDARNATH SHAW
A.T.ROAD (BUNGALOW)
NEAR STATE BANK OF INDIA
DIGBOI
DIST- TINSUKIA
PIN-786171
ASSAM

VERSUS

KAILASHPATI SHAW AND ANR
S/O- LT CHHANGLAL SHAW
R/O- DIGBOI CHARALI BAZAR
P.O. DIGBOI
DIST- TINSUKIA
PIN-786171
ASSAM

2:RAMBILASH GUPTA@SHAW
S/O- LT CHHANGLAL SHAW

R/O- 122/51
J.N. MUKHERJEE ROAD
GHUSURI
DIST- HOWRAH
WEST BENGAL

Advocate for : MR B K SINGH
Advocate for : MR. D SINGH appearing for KAILASHPATI SHAW AND ANR

Linked Case : I.A.(Civil)/579/2020

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DIGBOI
DIST. TINSUKIA
PIN 786171

Advocate for : MR H BURAGOHAIN
Advocate for : SC
I O C appearing for THE UNION OF INDIA AND 5 ORS.

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

26.05.2025

Mr. P. Nayak, learned counsel appearing for the respondent No.6 submits that though the subject dealership has been terminated yet neither the petitioner nor the respondent IOCL has filed any affidavit

bringing the said document on record.

Mr. A. C. Buragohain, learned counsel appearing for the petitioner, submits that he may be accommodated to bring the aforesaid development on record and also examine whether anything still survives for adjudication in the present writ petition.

The prayer is allowed.

Re-list the matter on **16.06.2025**.

JUDGE

Comparing Assistant