

GAHC010036762023



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

Case No. : WP(C)/977/2023

M/S DULO SERVICE STATION AND ANR.
REP. BY ITS SOLE PROPRIETOR SRI JITENDRA BAISHYA, BHARAT
PETROLEUM DEALER, AMINGAON, HAJO ROAD, AMINGAON, P.O.
DADARA, P.S. HAJO, PIN- 781031, DIST.- KAMRUP, ASSAM

2: JITENDRA BAISHYA
S/O- SRI NANDESWAR BAISHYA
PROPRIETOR OF M/S DULO SERVICE STATION
R/O- VILL- BANGSHAR
P.S. HAJO
P.O. SUALKUCHI
PIN- 781103
DIST.- KAMRUP (M)
ASSA

VERSUS

THE UNION OF INDIA AND 5 ORS.
REP. BY THE MINISTRY OF PETROLEUM AND NATURAL GAS, GOVT. OF
INDIA NEW DELHI-1

2: BHARAT PETROLEUM CORPORATION LTD.
(GOVT. OF INDIA ENTERPRISE)
BHARAT BHAVAN
4 AND 6 CURRIMBHOY ROAD
BALLARD ESTATE
MUMBAI-1
MAHARASHTRA

3: THE CHIEF MANAGER
BNP (RETAIL)
WEST BENGAL AND SIKKIM
EASTERN REGIONAL OFFICE 3RD FLOOR
BHARAT BHAVAN

BPCL
PRINCE GULAM MD. SHAH ROAD
GOLF GREEN
KOLKATA- 95
W.B.

4:THE HEAD (RETAIL) EAST
EASTERN REGIONAL OFFICE 3RD FLOOR
BHARAT BHAVAN
BPCL
PRINCE GULAM MD. SHAH ROAD
GOLF GREEN
KOLKATA- 95
W.B

5:THE TERRITORIAL MANAGER (RETAIL)
BHARAT PETROLEUM CORPORATION LTD.
GUWAHATI TERRITORIAL
1ST FLOOR
NEXIA PARK
GMCH ROAD
CHRISTIAN BASTI
GUWAHATI
DIST.- KAMRUP (M)
ASSAM

6:THE DY. COMMISSIONER
KAMRUP
AMINGAO

Advocate for the Petitioner : MR. K N CHOUDHURY, MR. DILIP DEY,MR. B J GHOSH

Advocate for the Respondent : DY.S.G.I., MR. S S ROY,GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : --06.05.2025

Heard Mr. D. Dey, learned counsel, for the petitioner. Also Mr. S. Borthakur, learned counsel appearing for the respondents No. 2 to 5 and Ms. U. Das, learned Additional Senior Government, appearing for the respondents No. 6.

Mr. Borthakur, learned counsel, appearing for the respondents No. 2 to 5, submits that the rejoinder affidavit on behalf of the respondents represented by him would be filed invariably on or before 20.05.2025.

Mr. Borthakur, learned counsel, appearing for the respondent No. 2, has further submitted that, the issue arising in the present proceeding is covered by the decisions of the Hon'ble Supreme Court in the case of **Indian Oil Corporation Limited and Others Vs. R. M. Service Centre and Anther reported in (2019) 19 SCC 662** and in the case of **Hindustan Petroleum Corporation Limited and Others Vs. Dharamnath Singh and Others reported in 2024 SCC Online SC 987**.

Accordingly, Registry to list this matter again on 27.05.2025.

JUDGE

Comparing Assistant