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

Case No. : WP(C)/1104/2026

JHARNA TOUR AND TRAVELS

A PROPRIETORSHIP FIRM, HAVING ITS OFFICE ADDRESS AT-
SARUPATHAR TOWN, BY LANE-3, INDRA-MALOTI PATH, WARD - 3, NEAR
SARUPATHAR POLICE STATION, P.O-SARUPARTH, P.S-SARUPATHAR,
DIST-GOLAGHAT, PIN-785601, ASSAM. REPRESENTED BY ITS PROPRIETOR
SMT. JHARNA BORTHAKUR AGED ABOUT 51 YEARS W/O SHRI NAREN
BORTHAKUR, R/O- WARD NO-3, SARUPATHAR TOWN, NEAR SARUPATHAR
POLICE STATION, P.O. AND P.S- SARUPATHAR, DIST- GOLAGHAT, PIN-
785601, ASSAM

VERSUS

THE UNION OF INDIA AND 4 ORS
REPRESENTED BY SECRETARY TO THE GOVERNMENT OF INDIA,
MINISTRY OF PETROLEUM AND NATURAL GAS, KARTAVYA BHAWAN-03,
JANPATH, NEW DELHI, PIN-110001.

2:THE NUMALIGARH REFINERY LIMITED
LOCATED AT MORANGI
GOLAGHAT
ASSAM REPRESENTED BY ITS GENERAL MANAGER
HAVING ITS REGISTERED OFFICE AT 122A NRL CENTRE
G.S. ROAD
CHRISTIAN BASTI
GUWAHATI-781005
ASSAM.

3:M/S SHARMA TOUR AND TRAVEL AGENCY
NUMALIGARH
P.O-NUMALIGARH
DIST.-GOLAGHAT
ASSAM

PIN-785615.

4:M/S RAMEN KUMAR PHUKON
NO.1 PONKA GRANT
BISHNUPUR
GOLAGHAT
ASSAM
PIN-785699

5:M/S HAZRIKA AND SONS
VILLAGE-1 NO. PANKA GRANT
BISHNUPUR
NUMALIGARH
PIN- 78569

Advocate for the Petitioner : MS M BORAH, MR. B B BORAH,L TONGER,E RAJKUMARI

Advocate for the Respondent : DY.S.G.I., SC, NRL

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 25.02.2026

Heard Ms. B. Chowdhury, learned counsel for the petitioner; Mr. K. Gogoi, learned Central Government Counsel for the respondent no. 1; and Mr. N. Deka, learned counsel for the respondent no. 2.

2. By a Notice Inviting Tender [NIT] vide Tender no. NRL/ADMIN/2025/VEH/01, bids were invited for a job, 'Empanelment of Agencies for Hiring of Vehicles on Call Duty/Ad-hoc Duty Services for Numaligarh Refinery Limited at Numaligarh location'. As per the NIT, the contract period would be for two years with a provision for extension for another one year subject to satisfactory performance of the agency and as per direction of EIC.

3. In response to the NIT, the petitioner submitted his bid. As per the NIT, the bidding process was a two-bid system, comprising of technical bid and financial bid. After opening of the financial bids of the bidders who were found responsive at the technical bid opening stage, a BoQ summary details was published on 13.10.2025. In the BoQ Summary Detail, seven bidders were ranked from L-1 to L-7 and the petitioner was ranked as L-5. However, on 01.12.2025, the respondent NRL held a meeting for empanelment of agencies for overall L-1 price matching among the bidders as per Clause 18 of the NIT. As per the details published after the meeting, ranks of the seven responsive bidders have been re-adjusted again from L-1 to L-7 by a revised ranking list wherein the petitioner has been ranked as L-6. It is also the contention of the petitioner that one allegedly blacklisted entity has been ranked L-4 therein. One M/s Hazarika & Sons [the respondent no. 5] who was earlier ranked as L-6 in the BoQ Summary Details, has now been ranked as L-3. Aggrieved by such revised ranking list and assailing such action as illegal and arbitrary, the petitioner has approached before this Court by the present writ petition to challenge the entire bidding process.

4. Mr. Deka, learned counsel appearing for the respondent no. 2 has submitted that with regard to the said tender process, two other writ petition petitions, W.P.[C] no. 6403/2025 & W.P.[C] no. 6412/2025 are pending. The respondent NRL has already filed a counter affidavit addressing all the issues and the same, according to him, would be sufficient to deal with the issue raised in this writ petition.

5. Ms. Chowdhury has submitted that the respondent no. 5 is not a party-respondent in the said two writ petitions.

6. Let notice be issued. The notice is made returnable on 13.03.2026.
7. As Mr. Gogoi, learned Central Government Counsel has appeared and accepted notice on behalf of respondent no. 1 and Mr. Deka, learned counsel has appeared and accepted notice on behalf of respondent no. 2, issuance of formal notices to the said respondents are dispensed with. However, extra copies of the writ petition along with annexures are to be furnished to Mr. Gogoi and Mr. Deka within 2 [two] working days from today.
8. The learned counsel for the petitioner shall take steps for service of notice upon the respondent nos. 3, 4 & 5 by speed post within 2 [two] working days from today. In addition, the petitioner, on prayer, is also permitted to take steps for service of notice upon the respondent nos. 3, 4 & 5 by way of dasti, which is to be routed through the Registry of this Court. After service of notice upon the respondent nos. 3, 4 & 5 by way of dasti, the petitioner shall also file a compliance affidavit to that effect before the returnable date.
9. The respondent NRL is at liberty to file counter affidavit in this petition on or before the returnable date.

JUDGE

Comparing Assistant