

GAHC010038192020



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

Case No. : I.A.(Civil) 579/2020
In WP(C) No. 91/2020

1:M/S. KEDARNATH KAILASHPATI AND 2 ORS.
REPRESENTED BY THE PETITIONER AND 1 AND 2 PARTNERS OF THE
FIRM, HAVING ITS HEAD OFFICE AT DIGBOI, P.O. DIGBOI, DIST. TINSUKIA,
ASSAM, PIN 786171

2: KAILASHPATI SHAW
S/O LATE CHHANGALA 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
DIST. HOWRAH
WEST BENGAL (PARTNER)

VERSUS

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

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

MUMBAI 400051

3:THE INDIAN OIL CORPORATION LTD.
ASSAM OIL 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.

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

Advocate for the Petitioner : MR H BURAGOHAIN

Advocate for the Respondent : SC, I O C

Linked Case : WP(C) 824/2018

1: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

1: 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 INDIAN 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 the Petitioner : MR. H BURAGOHAIN
Advocate for the Respondent : ASSTT.S.G.I.

Linked Case : WP(C) 91/2020

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

1: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- 786171

Advocate for the Petitioner : MR. A C BURAGOHAIN
Advocate for the Respondent : ASSTT.S.G.I.

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

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

ASSAM

VERSUS

1: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 the Petitioner : MR B K SINGH
Advocate for the Respondent : MR. D SINGH

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

16-10-2020

Heard Shri H. Buragohain, learned counsel for the petitioners who submits that in the meantime, pleadings have been exchanged between the respondent Nos. 2 to 5 and the applicant.

However, Shri P. Nayak, learned counsel for the respondent No. 6 submits that though the affidavit is ready, the same could not be filed as the said respondent No. 6 is out of station.

Since urgency has been expressed by Shri Buragohain, learned counsel for the applicant, list this case on **19.11.2020** prior to which the affidavit may be filed by the respondent No. 6.

JUDGE

Comparing Assistant