

GAHC010040982017



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

Case No. : Cont.Cas(C)/474/2017

PHUKAN CHANDRA NATH
S/O LT. JUPAK CHANDRA NATH R/O VILL- HABIBARANG BARI, P.O.
HABIBARANG BARI, DIST. MORIGAON, ASSAM

VERSUS

SANJIV SINGH and 4 ORS.
INDIAN OIL CORPORATION LTD. CORPORATE OFFICE, SADIQU NAGAR-
3079/3 SADIQ NAGAR J.B. TITIO MARG, NEW DELHI - 110049.

2:MR. B.S. CANTH

DIRECTOR MARKETING
INDIAN OIL CORPORATION LIMITED MARKETING DIVISION MARKETING
DIVISION HEAD OFFICE
INDIAN OIL BHAWAN
G-9
ALI YAVAR JUNG MARG
BANDR EAST
MUMBAI- 400051.

3:MR. GURMEET SINGH
ED LPG
INDIAN OIL CORPORATION LTD. MARKETING DIVISION MARKETING
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4:MR. RAMESH KUMAR

GENERAL MANAGER I/C
HR
INDIAN OIL CORPORATION LTD. MARKETING DIVISION
EASTERN REGIONAL OFFICE
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GARIAHAT ROAD
DHAKURI
KOLKATA- 700068.

5:MR. DIPANKAR RAY
ED
INDIAN OIL CORPORATION LTD. MARKETING DIVISION INDIAN OIL AOD
STATE OFFICE
INDIAN OIL BHAWNA
SECTOR-III
NOONMATI
GUWAHATI - 781020
ASSA

Advocate for the Petitioner : MS. M BORKAKATI, MR. A CHETRY,MR. M P SARMA,MR. U K NAIR

Advocate for the Respondent : MR. M K CHOUDHURY Sr.Adv.R- 4and5R-1,2and3, MR. M SHARMA(R- 1,2&3),MR. N BARUAH(R-4)(R- 1,2&3),MR P BHARDWAJ (R- 4&5)(R- 1,2&3)

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

14.05.2025

Heard Mr. A. Chetry, learned counsel for the petitioner. Also heard Mr. M.K. Choudhury, learned Senior Counsel assisted by Mr. M. Sharma learned counsel for the respondent Nos. 1, 2 and 3.

Pursuant to the directions contained in the order dated 29.09.2015 passed in WP(C) No. 2421/2009 whereby the penalty order of the disciplinary authority as well as the order of the appellate authority was interfered with and the respondent authorities were directed to give service benefits to the writ petitioner within 08(eight) weeks from date of receipt of the order.

It is submitted that the petitioner was restored to his earlier position but there are certain financial benefits which have not been considered and released as on date. He further submits that his benefits for being promoted to the next higher grade had also not been complied with by the respondents which is violation of the direction contained in the order dated 29.09.2015 passed in WP(C) No. 2421/2009.

Referring to the additional affidavit filed by the petitioner at Annexure C the petitioner has worked out the claims stated to be payable by the respondent authorities.

Mr. M.K. Choudhury, learned Senior Counsel appearing for the IOCL on the other hand referring to the affidavit filed by the department submits that all the claims of the writ petitioner have been granted in terms of the directions contained in the order dated 29.09.2015 passed in WP(C) No. 2421/2009. However, he seeks liberty of the Court to complete his instructions as to the further claims made by the writ petitioner and as to whether these claims are to be considered by the authorities in terms of the order dated 29.09.2015 passed in WP(C) No. 2421/2009 and if so, whether the claims have already been released.

Considering the prayer made, this Court is of the considered view that the matter be listed again on 30.05.2025 by which date the respondents will complete their instructions in terms of this order as prayed for.

List accordingly.

JUDGE

Comparing Assistant