

GAHC010173542024



undefined

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

Case No. : WP(C)/4369/2024

PRABIN DAS
S/O- MADHAB DAS, R/O- WARD NO. 4, KOKRAJHAR, ASSAM, PIN- 783370.

VERSUS

BHARAT PETROLEUM CORPORATION LIMITED AND 6 ORS
HAVING ITS TERRITORIAL OFFICE AT 1ST FLOOR, NEXIA PARK, GMCH
ROAD, CHRISTIAN BASTI, GUWAHATI-781005, KAMRUP(M),
REPRESENTED BY ITS HEAD OF TERRITORY OFFICE (T. M. RETAIL).

2:THE HEAD OF TERRITORY OFFICE (T.M. RETAIL)

TERRITORY OFFICE
BHARAT PETROLEUM CORPORATION LIMITED
1ST FLOOR
NEXIA PARK
GMCH ROAD
CHRISTIAN BASTI
GUWAHATI-781005
KAMRUP(M).

3:OLSEN KUMAR KISHU
THROUGH HEAD OF TERRITORY OFFICE
(T.M. RETAIL)
BHARAT PETROLEUM CORPORATION LIMITED
TERRITORY OFFICE
1ST FLOOR
NEXIA PARK
GMCH ROAD
CHRISTIAN BASTI
GUWAHATI-781005

KAMRUP(M)

Advocate for the Petitioner : MR. A LAL, MR A BRAHMA,M K DEB

Advocate for the Respondent : SC, BPCL, MR. S S ROY (R-1,2)

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

18.09.2025

Heard Shri A. Lal, learned counsel for the petitioner as well as Shri S. Borthakur, learned Standing Counsel, BPCL.

The dispute hinges over the issue regarding the land taken on lease by the petitioner to establish the retail outlet.

It is the case of the petitioner that in the tender process, he turned out to be the highest bidder and the challenge is with regard to the action of the respondents in denying such a retail outlet. The ground which appears is that the lease which was produced by the petitioner is not executed by all the co-owners. While it is the case of the petitioner that there are 2 (two) owners of the land in question and both of them have executed Lease Deeds, the stand of the BPCL is that there are other co-owners who have not executed such Deeds.

The issue can be resolved by taking a report from the concerned Circle Office of Gossaigaon Revenue Circle.

This Court accordingly request Shri J. Handique, learned State Counsel to obtain the instructions with regard to the ownership of the land in question, namely, a plot of land measuring 2 *Bigha* 2 *katha* 10 *lechas* covered by Dag No. 203 Patta No. 33 of village Bhairiguri under Gossaigaon Revenue Circle in the

district of Kokrajhar. To be more specific, it is to be ascertained as to whether, apart from Barsha Hasda and Samuel Hembong, there are any other owners of the land in question.

To facilitate the learned State Counsel to have the instructions, Shri Lal, the learned counsel for the petitioner shall furnish a copy of the writ petition by tomorrow.

A copy of the present order be also furnished to Shri Handique, the learned State Counsel for doing the needful.

List this matter for consideration on 27.10.2025.

JUDGE

Comparing Assistant