

GAHC010195242025



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

Case No. : Cont.Cas(C)/489/2025

M/S S.H. ENTERPRISE
A SOLE PROPRIETORSHIP OF MD. SAFIQL HUSSAIN, S/O LATE HUSSAIN
ALI, REPRESENTED BY ITS AUTHORIZED REPRESENTATIVE, WAZIDUR
RAHMAN, S/O LATE OHIDUR RAHMAN, R/O RAJ APARTMENT, BLOCK-B,
2ND FLOOR, GMCH ROAD, BHANGAGARH, GUWAHATI, KAMRUP, ASSAM-
781005

VERSUS

NAYAN KUMAR BARUA AND 5 ORS.
EXECUTIVE DIRECTOR, INDIAN OIL CORPORATION LIMITED,
BONGAIGAON REFINERY, P.O.- DHALIGAON, DIST- CHIRANG, ASSAM-
783385

2:KESHAV CHANDRA DAIMARY
THE GENERAL MANAGER I/C (HR)
INDIAN OIL CORPORATION LIMITED
BONGAIGAON REFINERY
P.O.- DHALIGAON
DIST- CHIRANG
ASSAM- 783385

3:NAB JYOTI DAS
THE DEPUTY GENERAL MANAGER (CONTRACTS)
INDIAN OIL CORPORATION LIMITED
BONGAIGAON REFINERY
P.O.- DHALIGAON
DIST- CHIRANG
ASSAM- 783385

4:BIMAN KALITA
THE SENIOR MANAGER (EMPLOYEES SERVICE)

INDIAN OIL CORPORATION LIMITED
BONGAIGAON REFINERY
P.O.- DHALIGAON
DIST- CHIRANG
ASSAM- 783385

5:ARADHANA BORAH
THE CHIEF MANAGER (EMS)
INDIAN OIL CORPORATION LIMITED
BONGAIGAON REFINERY
P.O.- DHALIGAON
DIST- CHIRANG
ASSAM- 78338

Advocate for the Petitioner : MR. R SHARMA, MS P PHUKAN

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

08.09.2025

(M. Zothankhuma, J)

Heard Mr. R. Sharma, learned Sr. Counsel for the petitioner assisted by Ms. P. Phukan.

2. The learned Sr. Counsel for the petitioner submits that the order dated 17.07.2025, passed in WA No.152/2025, has not been complied with and the respondents have allotted the work order to a third party, pursuant to the NIT dated 01.02.2025, though the respondents in WP(C) No.6142/2024 and WP(C) No.738/2025 had not filed their affidavits, within the 2 weeks' time limit provided by this Court. As such, the conditional vacation of the interim stay order dated 12.02.2025 passed in WP(C) No.738/2025 could no longer subsist

and for which, the contract could not have been awarded pursuant to the NIT dated 01.02.2025.

3. The learned Sr. Counsel for the petitioner submits that the affidavits had been filed by the respondents in the two writ petitions on 4th or 5th of August, 2025, though the date for submission of the same had expired on 31.07.2025. He also submits that the petitioner had not been given a copy of the affidavits filed by the State respondents in the two writ petitions till date.

4. Issue notice, returnable in 3(three) weeks.

5. Petitioner to take steps for service of notice upon the respondents by registered post with A/D, within 3(three) days.

6. List the matter on **25.09.2025.**

JUDGE

JUDGE

Comparing Assistant