

GAHC010195242025



DB

2026:GAU-AS:2647-

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. SAFIQUH 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

For the petitioner : Mr. R. Sarma, Sr. Advocate

For the respondents : Mr. K.N. Choudhury, Sr. Advocate
Mr. T. Kashyap, Advocate for
Respondent Nos.1, 3, 4 & 5

– B E F O R E –

HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR
HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

23-02-2026

(Ashutosh Kumar, C.J.)

We have heard Mr. R. Sarma, learned Senior Advocate for the petitioner and Mr. K.N. Choudhury, learned Senior Advocate for the respondents.

By the judgment dated 17.07.2025, a Division Bench of this Court had directed the Indian Oil Corporation Ltd. (hereinafter to be referred as "IOCL") and four others (appellants) in WA 152/2025 to file an affidavit in two other writ petitions pending before the learned Single Judge, namely, WP(C) 6142/2024 and WP(C) 738/2025 stating that the NIT dated 01.02.2025 has been finalised and the resultant contract has been entered into with a party, which agreement shall be subject to the decision of the Court in the afore-noted two writ petitions. The affidavit was directed to be filed within a period of two weeks from the date of the judgment.

The petitioner herein seeks initiation of contempt proceeding against the IOCL and its functionaries for not having complied with the operative portion of the afore-noted judgment regarding filing of affidavit within two weeks from the date of the judgment.

Mr. K.N. Choudhury, learned Senior Advocate, who appears on behalf of the IOCL and others on notice, submits that though the judgment was pronounced on 17.07.2025, the same was uploaded on 25.07.2025 and the affidavit as directed by the Division Bench was filed on 02.08.2025. In that view of the matter, the directions of the learned Division Bench stood complied.

However, Mr. R. Sarma, learned Senior Advocate for the petitioner submits that the judgment was uploaded on 21.07.2025.

Counting the date on which the required affidavit was filed by the IOCL and others even from 21.07.2025, it was within the time. Even otherwise no case is made out by the petitioner for initiation of any

proceeding of contempt against the appellants/IOCL and others in WA 152/2025.

Accordingly, this application is dismissed.

JUDGE

CHIEF JUSTICE

Comparing Assistant