

GAHC010232892024



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

Case No. : WP(C)/5791/2024

MOMI BASUMOTARI
WIFE OF KRISHNA KONWAR, DAUGHTER OF THAKUR BASUMATARY,
RESIDENT OF HALUA VILLAGE, PO BORHAT, CHARAIDEO, ASSAM, PIN-
785693, PH. NO. 9101372279

VERSUS

THE INDIAN OIL CORPORATION LTD AND 2 ORS
REGISTERED OFFICE-INDIAN OIL BHAWAN, G-9, ALI YAVAR JUNG MARG,
BANDRA (EAST), MUMBAI 400051 REPRESENTED BY ITS MANAGING
DIRECTOR

2:THE DIVISIONAL MANAGER
TINSUKIA DIVISIONAL OFFICE
SRIPURIA PATH
TINSUKIA
PIN- 786125

3:THE DIVISIONAL RETAIL SALES HEAD
TINSUKIA DIVISIONAL OFFICE
SRIPURIA PATH
TINSUKIA
PIN- 78612

Advocate for the Petitioner : MR. M DUTTA, MR. C SARMAH,MS B DUTTA,MR. S R GOGOI

Advocate for the Respondent : SC, I O C,

**BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

ORDER

11.11.2024

Heard M. Dutta, learned counsel for the petitioner, who submits that the petitioner submitted his bid for allotment of retail outlet at location "SH-1 between Salkathoni Tea Estate to Titlagarh" reserved for ST category candidates. The petitioner was provisionally selected for the said retail outlet. However, due to a clerical error in the lease commencement date in the lease deed offered by the petitioner, wherein "18.10.2023" had been typed, instead of "17.10.2023", his candidature was found to be ineligible. Though the said mistake was corrected on the same date, i.e. 17.10.2023, the IOCL, vide letter dated 24.10.2024 (page 152), has informed the petitioner that he was found ineligible for being selected under the Group-1 category.

2. The petitioner's counsel submits that the typographical error having been corrected by the competent authority on the same date itself, i.e. 17.10.2023 and in view of the fact that the petitioner should have been given 90 days' time for providing alternative land, the impugned letter was arbitrary.

3. Issue notice, returnable in three weeks.

4. Mr. M. Sharma, learned counsel accepts notice on behalf of all the respondents.

5. List the matter after **3 (three) weeks**, to enable the respondents to file their affidavit.

6. In the interim, the respondents are directed not to issue any Letter of

Intend for the retail outlet at location "SH-1 between Salkathoni Tea Estate to Titlagarh" in favour of any person till the next returnable date.

JUDGE

Comparing Assistant