

GAHC010274392025



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

Case No. : WP(C)/13/2026

SMTI MAMATAZ KHATUN
WIFE OF AHMED ALI KHAN, VILL.- SHORIATPUR, P.O.- SHOWPUR, P.S.-
KALGACHIA, PIN-781319, DIST. BARPETA, ASSAM.

VERSUS

THE BHARAT PETROLEUM CORPORATION LTD AND 4 ORS.
(A GOVT. OF INDIA ENTERPRISE), REPRESENTED BY ITS REGIONAL
MANAGER, BHARAT BHAVAN, PLOT NO. 31, PRINCE GULAM MD SHAH
RD, GOLF GREEN, KOLKATA, WEST BENGAL 700095.

2:THE TERRITORY MANAGER (RETAIL)

BHARAT PETROLEUM CORPORATION LTD. (A GOVT. OF INDIA
ENTERPRISE)
GUWAHATI TERRITORY
1ST FLOOR
NEXIA PARK
GMCH ROAD
ANANDA NAGAR
CHRISTIAN BASTI
GUWAHATI-781005.

3:THE DISTRICT COMMISSIONER

BARPETA
ASSAM
PIN-781301.

4:THE CIRCLE OFFICER

KALGACHIA REVENUE CIRCLE

KALGACHIA
DIST. BARPETA
ASSAM
PIN-781319.

5:SRI DEWAN MUSTAFIZUR
S/O DEWAN HARMUZ ALI
R/O VILL. KALGACHIA
P.O. P.S. KALGACHIA
DIST. BARPETA
ASSAM
PIN-78131

Advocate for the Petitioner : MR. N H BARBHUIYA, MS. S. DEY,MS. N.A. LASKAR

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

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

21.01.2026

Heard Shri N.H. Barbhuiya, learned counsel for the petitioner.

The grievance of the petitioner is with regard to the allotment of a Regular/Rural Retail Outlet Dealership (Petrol Pump) to the respondent no. 5. The principal ground of challenge is that the said respondent no. 5 is not eligible with regard to the requirement and specification of the land in question. In this connection, the learned counsel has drawn the attention of this Court to the averments made in paragraph 11 of the writ petition along with the connected documents which relates to information obtained under the RTI Act.

Shri S. Borthakur, learned Standing Counsel appearing for the BPCL-respondent no.1 has however submitted that there is a fundamental flaw in making the challenge inasmuch as the land in question of the respondent no. 5

is different from the land which has been mentioned in paragraph 11. The learned Standing Counsel has also submitted that the letter of appointment has already been issued in favour of the respondent no.5.

Be that as it may, let notice be issued, returnable on 20.02.2026.

Shri Borthakur, the learned Standing Counsel, BPCL accepts notice on behalf of the respondent nos. 1 and 2 whereas Ms. U. Das, learned State Counsel accepts notice on behalf of the respondent nos. 3 and 4.

Extra copies of the writ petition be served upon the learned counsel for the respondents during the course of the day.

Steps for service of notice upon the respondent no. 5 be taken by speed post with A/D.

Steps by tomorrow.

JUDGE

Comparing Assistant