

GAHC040016912024



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

Case No. : WP(C)/580/2024

Getem Gamno
Son of Gongai Gamno, resident of Village Shantipur, PO Roing, PS Shantipur, Lower
Dibang Valley District, Arunachal Pradesh.

VERSUS

The Inidan Oil Corporation Limited and Anr
represented by the Chairman cum Managing Director, registered office Indian Oil
Bhawan, G-9, All Yavar Jung Marg, Bandra (East) Mumbai 400051

2:The Head of the Divisional Office

Age: 0

Occupation :

Indian Oil corporation Limited

Sripuria Road

Tinsukia

Assam 78612

Advocate for the Petitioner : Chorpok Modi, Nannu Yubi, Tadar Bai, Wanglat Khomrang, Maji
Dui, Tame Rimi, Uttam Deka

Advocate for the Respondent : Tabit Tapak, SC (IOC)

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 06.12.2024

Heard Mr. C. Modi, learned counsel for the petitioner. Also heard Mr. T.

Tapak, learned Standing counsel for the Indian Oil Corporation Limited (IOC) representing the respondents No. 1 & 2.

In this petition under Article 226 of the Constitution of India, the petitioner has challenged the intimation order dated 22.10.2024, issued by the respondent authorities.

The grievance of the petitioner is that pursuant to advertisement issued by the respondent authorities, he had applied for RO Dealership at NH-15, within 4 Km from Arunachal University of Studies towards Tezu, Namsai District, under ST Category and he was invited by the authorities being qualified to participate on 04.12.2023 for drawing the lots and the petitioner participated in the same and he was declared as successful. Thereafter, the petitioner had submitted all the relevant documents as per the advertisement dated 28.06.2023 and also deposited the required amount of fees. However, vide impugned letter dated 22.10.2024, the respondent authority has informed the petitioner that his candidature has been found ineligible and the Land Evaluation Committee found his land not meeting the required norms, and he has been considered as Group-3 applicant.

Mr. Modi, learned counsel for the petitioner submits that vide impugned letter dated 22.10.2024, the petitioner has been informed that his candidature has been cancelled and the ground shown in the said letter is that the Land Evaluation Committee (LEC) visited the site offered by the petitioner on 10.04.2024 and found the same to be not meeting the required norms as the offered land lease deed is registered after the date of application. Mr. Modi further submits that such condition was not mentioned in the advertisement and as such, the impugned letter dated 22.10.2024 is

illegal and arbitrary and therefore, Mr. Modi contended to set it aside.

The submission of Mr. Modi, learned counsel for the petitioner, needs further consideration.

At this stage, notice be issued to the respondents, returnable in 2 (two) weeks.

As Mr. Tapak, learned Standing Counsel, Indian Oil Corporation Limited (IOC) has entered appearance and accepted notice on behalf of the respondent Nos. 1 & 2, no formal notice is required to be sent. However, requisite extra-copies of the writ petition, along with the documents appended thereto, be furnished to him during the course of the day.

Interim prayer of the petitioner will be considered on the next date of listing.

List the matter on 18.12.2024.

JUDGE

Comparing Assistant