



Serial No.06
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 279 of 2024

Date of Decision : 25.10.2024

1. Shri. Sidhartha Sureka.
2. Shri. Haridyansu Sureka.
3. Shri. Raunak Warisa.
4. Shri. Bhagwati Prasad Agarwala.
5. Shri. Ramesh Kumar Sureka.
6. Shri. Santosh Kumar Sureka.

...Petitioners

-Versus-

1. The India Oil Corporation Ltd.
through the Managing Director,
The Indian Oil Corporation Ltd.,
Registered office G-9, Ali Yavar
Jung Marg, Bandra (East)
Mumbai – 400051.
2. The Head of Divisional Office,
The Indian Oil Corporation Ltd.
Guwahati Divisional Office,
4th Floor, East Point Tower,
Baminumaidam, Guwahati,
Kamrup (M), Assam.

...Respondents

Coram:



Hon'ble Mr. Justice H.S.Thangkhiew, Judge

Appearance:

For the Petitioner/Applicant(s) : Ms. M.Hazarika, Sr. Adv. with'
Mr. D.Khan, Adv.

For the Respondent(s) : Mr. K.Khan, Sr. Adv. with
Mr. S.K.Hassan, Adv.
Ms. M.Rahman, Adv.

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| i) | Whether approved for reporting in
Law journals etc: | Yes/No |
| ii) | Whether approved for publication
in press: _ | Yes/No |

JUDGMENT AND ORDER (ORAL)

1. The six petitioners who are stated to be partners of a partnership firm under the name and style of M/S. Ashok Auto Service, are before this Court being aggrieved with a decision conveyed by an email dated 19-07-2024, whereby the said firm had been found to be ineligible for grant of retail outlet dealership on the basis of the documents submitted by them.

2. Ms. M.Hazarika, learned Sr. counsel assisted by Mr. D.Khan, learned counsel on behalf of the petitioners has submitted that against the said cancellation/rejection, a representation dated 29-07-2024 has been preferred before the respondent No. 2 which is pending consideration. The learned Sr. counsel then further submits that when the instant writ petition



was filed on 07-08-2024 before this Court challenging the said email dated 19-07-2024, and was moved on 09-08-2024, this Court was pleased to grant time till 19-08-2024 to the learned counsel for the respondents to obtain instructions, and directed that till the next date, the impugned cancellation dated 19-07-2024, be not given effect to. She submits that however, in total disregard to the orders passed by this Court, the authorities issued an email dated 10-08-2024 to the petitioner No. 2 and forwarded a letter dated 29-08-2024 and certain other communications were also exchanged between the respondents, upholding the earlier order dated 19-07-2024. However, she submits that the respondents perhaps on realising the error, had subsequently withdrawn the impugned communication dated 29-07-2024 by a letter dated 19-08-2024.

3. At this stage, learned Sr. counsel for the petitioner only prays that the representation as preferred by the petitioners be disposed of by the respondents in accordance with law.

4. Mr. K.Khan, learned Sr. counsel assisted by Mr. S.K.Hassan, learned counsel on behalf of the respondents does not dispute the submissions made by learned Sr. counsel for the petitioners and submits that the answering respondents due to bonafide mistake, had issued the letter dated 29-07-2024, but the same was however rectified. He further submits that



the representation as preferred by the petitioners will be disposed of after hearing the petitioners.

5. Upon hearing the learned counsels for the parties, as the limited question is only with regard to non-hearing of the petitioners, it is therefore directed that the respondents shall take up the representation dated 29-07-2024 for consideration, and afford adequate opportunity of hearing to the petitioners.

6. With the above directions, this writ petition accordingly stands closed and disposed of. It is expected that the matter be disposed of as expeditiously as possible.

Judge