

GAHC010076652024



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

Case No. : I.A.(Civil)/1238/2024
In WA No.4320/2024 (Filing Number)

ABHIJIT KUMAR BARUA
S/O- SHRI ANIL KUMAR BARUA,
BASUNDHARA APARTMENT, GROUND FLOOR, KAMAKHYA NAGAR,
BYE LANE NO. 4, ADABARI TINIALI, GHY- 12.

VERSUS

1.M/S HINDUSTAN PETROLEUM CORPORATION LTD AND 3 ORS
A COMPANY REGISTERED UNDER THE COMPANIES ACT, 1956, HAVING
ITS REGISTERED OFFICE AT 17, JAMSHEDJI TATA ROAD, MUMBAI 20,
REGIONAL OFFICE AT GS ROAD, ULUBARI, GUWAHATI 781007

2:THE DIRECTOR, MARKETING AND APPELLATE AUTHORITY
M/S HINDUSTAN PETROLEUM CORPORATION LTD.
HINDUSTAN BHAWAN 8 SOORJEE BALLABHDAS MARG BALLARD
ESTATE MUMBAI.

3:THE EXECUTIVE DIRECTOR
OPERATIONS and DISTRIBUTION and DISCIPLINARY AUTHORITY
M/S HINDUSTAN PETROLEUM CORPORATION LTD.
HINDUSTAN BHAWAN 8 SOORJEE BALLABHDAS MARG
BALLARD ESTATE MUMBAI.

4:THE ENQUIRY OFFICER
SENIOR BRAND MANAGER
GMO EAST ZONE, HINDUSTAN PETROLEUM CORPORATION LTD.
6 CHURCH LANE KOLKATA- 1

For the Applicant : Mr. B. Chakraborty, Advocate.

For the Respondent(s) : Mr. M.P. Sarma, Advocate.

– BEFORE –
HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE KARDAK ETE

24.06.2024

(Vijay Bishnoi, CJ)

Mr. M.P. Sarma, learned counsel puts in appearance on behalf of the respondents. Service is, therefore, complete.

The instant Interlocutory Application [I.A.(Civil) No.1238/2024] is preferred by the applicant under Section 5 of the Limitation Act, 1963 with a prayer to condone the delay of 105 days occasioned in preferring the connected writ appeal.

Mr. M.P. Sarma, learned counsel appearing for the respondents has vehemently opposed the application. However, taking into consideration of the fact that a cross-appeal (WA No.40/2024) against the order impugned in the connected writ appeal has already been preferred on behalf of the respondent Hindustan Petroleum Corporation Limited, we deem it appropriate to condone the delay of 105 days in preferring the connected writ appeal. Hence, the instant Interlocutory Application is allowed and the delay of 105 days in preferring the connected writ appeal is condoned.

The Registry is directed to register the connected writ appeal and list the same for admission along with WA No.40/2024 after the ensuing summer vacation.

The instant Interlocutory Application is, accordingly, disposed of.

JUDGE

CHIEF JUSTICE

Comparing Assistant