

GAHC010099562024



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

Case No. : WP(C)/2649/2024

SUNIL BASUMATARY
S/O- LATE SUNIRAM BASUMATARY,
R/O- BATAMARI, P.O. AND P.S.- SIDLI,
DIST.- CHIRANG, BTR, ASSAM,
PIN- 783373.

VERSUS

INDIAN OIL CORPORATION LIMITED AND ANR
REPRESENTED BY DEPUTY GENERAL MANAGER,
REGD. OFFICE INDIAN OIL BHAWAN,
G-9, ALI YAVAR JUNG MARG,
BANDRA (EAST), MUMBAI- 400051.

2:HEAD DIVISIONAL OFFICE INDIAN OIL CORPORATION LIMITED (MD)
GUWAHATI DIVISIONAL OFFICE

4TH FLOOR
EAST POINT TOWER

BAMUNIMAIDAM
GUWAHATI- 781021

KAMRUP(M)
ASSAM

Advocate for the Petitioner : MR. A BORO

Advocate for the Respondent : SC, I O C

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO**

ORDER

22.05.2024

Heard Mr. A. Boro, learned counsel for the petitioner, who submits that by filing this writ petition, the petitioner has challenged the rejection of his candidature in respect of allotment of Retail Outlet Dealership in the district of Chirang for the location between Kashikotra Sidli High School in Kashikotra and Bhutan Morh in Samthaibari on NH 27 (LHS while going from Bongaigaon to Srirampur) for Group I (ST).

The learned counsel submits that after submitting his application with the requisite documents, the petitioner was provisionally selected for the said dealership and has been communicated on 28.12.2023. Thereafter, vide communication dated 05.03.2024, the petitioner was asked to upload the rectified / corrected documents by 26.03.2024. Although the petitioner had submitted the agreement he entered into with the original land owner, the NOC given by him and later on also submitted the Sale Deed, the impugned communication dated 03.05.2024 rejecting his selection for the said area has been made to him. The petitioner further has been informed that he may be considered for selection along with other Group-3 articles as per the guidelines.

The learned counsel submits that aggrieved with the same, the petitioner submitted his representation which however was not accepted and he was informed to submit the same online. Accordingly, the petitioner submitted his representation through online on 07.05.2024. The representation has neither been considered nor disposed of by the respondents and therefore he is before this Court.

The learned counsel referring to Note 2 of the (page 25) of the writ petition which is in respect of locations advertised under SC / ST category in the guidelines. A

period of 90 days time is available to the applicant from the date of receiving the offer letter to offer an alternate land. The same also has not been adhered to by the respondents authorities before making the said impugned letter dated 03.05.2024.

Having regard to the projection made by the petitioner and particularly in view of the above, that the petitioner has submitted his representation on 07.05.2024, the writ petition is disposed of at this stage with a direction to the respondent authority concerned, more particularly, the respondent no. 2 to look into the representation submitted by the petitioner on 07.05.2024 and dispose of the same by a reasoned order within a period of 2 (two) weeks from the date of receipt of certified copy of this order.

Till the representation is disposed of, the respondent authorities shall not proceed with the selection made for the location in question.

The petitioner shall also furnish a copy of the writ petition along with a certified copy of this order to the respondent authority.

JUDGE

Comparing Assistant