

GAHC010120972024



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

Case No. : WP(C)/3180/2024

DIPSHIKHA GOGOI
W/O- SRI BIJU GOGOI, VILL.- TIRAP GAON, NEAR LEDO TEA ESTATE, P.O.
LEDO, P.S. MARGHERITA, DIST. TINSUKIA, ASSAM, PIN- 786182.

VERSUS

THE UNION OF INDIA AND 4 ORS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA,
MINISTRY OF PETROLEUM AND NATURAL GAS, SHASTRI BHAWAN, NEW
DELHI-110001.

2:THE DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA
MINISTRY OF PETROLEUM AND NATURAL GAS
SHASTRI BHAWAN
NEW DELHI-110001.

3:THE CHIEF MANAGING DIRECTOR
INDIAN OIL CORPORATION LIMITED
G9
ALI YAVAR JUNG MARG
BANDRA EAST
MUMBAI-400051.

4:THE DEPUTY GENERAL MANAGER (RETAIL SALES)
TINSUKIA DIVISIONAL OFFICE
INDIAN OIL CORPORATION LIMITED
SRIPURIA
TINSUKIA
ASSAM
PIN- 786125.

5:THE HEAD OF DIVISIONAL OFFICE

TINSUKIA DIVISIONAL OFFICE
INDIAN OIL CORPORATION LIMITED
SRIPURIA
TINSUKIA
ASSAM
PIN- 786125

Advocate for the Petitioner : MR. M SARANIA

Advocate for the Respondent : SC, I O C

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

24.06.2024

Heard Mr. M. Sarania, learned counsel for the petitioner, who submits that the petitioner had applied for retail outlet (petrol pump) dealership in response to an advertisement dated 28.06.2023 issued by the Indian Oil Corporation Limited (IOCL).

2. The petitioner had applied for the petrol pump outlet at Tinsukia under open category at NH 315, between 2 km to 5 km from Ledo Railway Station towards Lekhapani, Tinsukia District. The petitioner thereafter received an e-mail dated 24.11.2023 from the IOCL, stating that she was qualified for the draw of lots, for selection of the retail outlet dealership at Tinsukia. The petitioner was selected in the draw of lots and she was given the status of provisionally selected for opening a petrol pump.

3. On 22.05.2024, the petitioner received an e-mail, by which she was informed that her candidature for allotment of petrol pump was ineligible, due to non-receipt of the land holding certificate/land documents to ascertain land

title/area in the name of her husband within the stipulated time, despite letter dated 20.01.2024 being issued to her.

4. The petitioner's counsel submits that the petitioner did not receive the letter dated 20.01.2024. However, after receiving the impugned e-mail communication dated 22.05.2024, the petitioner submitted a representation dated 26.05.2024 through e-mail and a hard copy of the same was submitted to the respondent No.5 on 29.05.2024, stating her grievance.

5. The learned counsel for the petitioner submits that the petitioner's e-mail and letter dated 29.05.2024 issued to the respondent No.5 has not been decided by the respondents till date.

6. Mr. P. Bharadwaj, learned counsel for the IOCL submits that this writ petition can be disposed of, if a direction is issued to the respondent No.5, to examine the petitioner's letter dated 29.05.2024 and to take a decision on the same thereafter.

7. Mr. M. Sarania, learned counsel for the petitioner submits that he has got no objection to the proposal made by Mr. P. Bharadwaj.

8. In view of the consent of the parties, the respondent No.5 is directed to examine the petitioner's representation dated 29.05.2024 and take a decision on the same, within a period of 1 month, from the date of receipt of a copy of this order and the said letter dated 29.05.2024 along with the documents which are stated to have been uploaded earlier. Till a decision is taken by the respondent No.5, no allotment of the petrol pump at NH 315, between 2 km to 5 km from Ledo Railway Station towards Lekhapani, in the district of Tinsukia should be

made to any person.

9. The writ petition is accordingly disposed of.

JUDGE

Comparing Assistant