

GAHC010183242024



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

Case No. : I.A.(Civil)/2756/2024

HUSSAIN AHMAD
S/O MD. ABDUS SALAM, VILL AND P.O.-LANGLA, P.S.-KALGACHIA, DIST-
BARPETA, ASSAM

VERSUS

MUZHIDUL ALOM AND 3 ORS.
S/O ANOWAR HOSSAIN, VILL- CHENIMARI, P.O.-LANGLA, P.S.-
KALGACHIA, DIST- BARPETA, ASSAM

2:THE UNION OF INDIA
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA
MINISTRY OF PETROLEUM AND NATURAL GAS
A-WING
SHASTRI BHAWAN
NEW DELHI-110001

3:BHARAT PETROLEUM CORPORATION LTD
REPRESENTED BY THE CHAIRMAN
BHARAT BHAVAN
5 AND 6 CURRIMBHOY ROAD
BALLARD ESTATE
POST BOX NO. 688
MUMBAI
MAHARASTRA-400001

4:TERRITORIAL MANAGER
BPCL
1ST FLOOR
NEXIA PARK
GMC HOSTEL ROAD
CHRISTIANBASTI

GUWAHATI-78100

Advocate for the Petitioner : MR. R ALI, MR M SHELIM

Advocate for the Respondent : MR. K KALITA, MR. S BARTHAKUR, MR H GUPTA

**BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

21.10.2024

Heard Mr. M. Shelim, learned counsel for the applicant and Mr. S. Borthakur, learned counsel for the opposite party nos. 3 & 4.

2. Despite call, none has appeared for the opposite party no. 1-writ petitioner and the opposite party no. 2.

3. The instant interlocutory application is preferred by the applicant seeking correction of his name from 'Hussain Ali' to 'Hussain Ahmad' and correction of his father's name from 'Mozibor Rahman' to 'Md. Abdus Salam'.

4. The applicant had earlier preferred an interlocutory application, I.A.[C] no. 2221/2021 in the accompanying writ petition, W.P.[C] no. 5527/2019 seeking his impleadment as party-respondent no. 4. In the said interlocutory application, he mentioned his details as under :-

“Hussain Ahmed, Age 26 years,
S/o Mozibor Rahman, Village & P.O. Langla,
P.S. Kalgachia, District – Barpeta, Assam”

5. The said interlocutory application, I.A.[C] no. 2221/2021 was allowed by an Order dated 22.12.2021 and paragraph 6 thereof read as under :-

6. Accordingly, the prayer for impleadment of the applicant –

*“Hussain Ali, Age – 26
S/o Mozibor Rahman,
Village & P.O. Langla, P.S. Kalgachia,
District – Barpeta, Assam”*

as a party-respondent no. 4 is allowed.

6. In the instant interlocutory application, it has been averred that in the interlocutory application, I.A.[C] no. 2221/2021, the name of the applicant's father was inadvertently mentioned as 'Mozibor Rahman' instead of 'Md. Abdus Salam'. Mr. Shelim, learned counsel for the applicant has further submitted that an inadvertent typographical error was also crept in the interlocutory application, I.A.[C] no. 2221/2021 as the name of the applicant should have been mentioned as 'Hussain Ahmad', instead of 'Hussain Ahmed'.

7. Mr. Borthakur, learned counsel appearing for the respondent nos. 3 & 4 has submitted that as the mistakes in the name of the applicant and the name of the father of the applicant appear to be inadvertent ones, he has no objection if the instant interlocutory application is allowed.

8. On perusal, it is found that the name of the applicant which was mentioned as 'Hussain Ali' in the Order dated 22.12.2021, was an inadvertent typographical mistake. It has been averred by the applicant that due to inadvertent mistake, he mentioned the name of his father as 'Mozibor Rahman' instead of 'Md. Abdus Salam'.

9. As the mistakes appear to be typographical and inadvertent ones, the instant interlocutory application stands allowed with the observation that the details of the party-respondent no. 4 in the cause-title of the writ petition, W.P.[C] no. 5527/2019 should be as under :-

*“Hussain Ahmad, Age 26 years,
S/o Md. Abdus Salam, Village & P.O. Langla,
P.S. Kalgachia, District – Barpeta, Assam”*

10. The instant interlocutory application stands allowed in the aforesaid terms.

JUDGE

Comparing Assistant