

GAHC010257102023



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

I.A.(Civil)/3824/2023 In
WP(C)/6596/2023

INDIAN OIL CORPORATION LTD AND 4 ORS
REPRESENTED BY ITS EXECUTIVE DIRECTOR
BONGAIGAON REFINERY
P.O. DHALIGAON
DIST. CHIRANG
ASSAM
PIN- 783385.

2: THE GENERAL MANAGER I/C (HR)
INDIAN OIL CORPORATION LTD. BONGAIGAON REFINERY P.O DHALIGAON
DIST. CHIRANG ASSAM 783385

3: THE DEPUTY GENERAL MANAGER (CONTRACTS)
INDIAN OIL CORPORATION LTD.
BONGAIGAON REFINERY
P.O. DHALIGAON
DIST. CHIRANG
ASSAM
PIN- 783385.

4: THE SENIOR MANAGER (EMPLOYEE SERVICES)
INDIAN OIL CORPORATION LTD.
BONGAIGAON REFINERY
P.O. DHALIGAON
DIST. CHIRANG
ASSAM
PIN- 783385.

5: THE CHIEF MANAGER (EMS)
INDIAN OIL CORPORATION LTD.
BONGAIGAON REFINERY
P.O. DHALIGAON
DIST. CHIRANG

ASSAM
PIN- 783385.
VERSUS

M/S S H ENTERPRISE
A SOLE PROPRIETORSHIP OF MD. SAFIQUH HUSSAIN
SON OF LATE HUSSAIN ALI WITH ITS REGISTERED OFFICE AT SILBHANGA
JAGIROAD
P.O. AND P.S. JAGIROAD
DIST. MORIGAON
ASSAM
REPRESENTED BY ITS AUTHORISED REPRESENTATIVE MR. WAZIDUR
RAHMAN
SON OF LATE OHIDUR RAHMAN
R/O- RAJ APARTMENT
BLOCK-B
2ND FLOOR
GMCH ROAD
BHANGAGHAR
GUWAHATI
KAMRUP
ASSAM-781005.

Advocate for : MR. K N CHOUDHURY
Advocate for : R SARMAH appearing for M/S S H ENTERPRISE

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

04.01.2024

Heard Shri KN Choudhury, learned Senior Counsel assisted by Ms. RR Kakati, learned counsel for the applicants/IOC. Also heard Shri R Sarma, learned Senior Counsel for the opposite party/writ petitioner.

The dispute raised in this writ petition is with regard to cancellation of a catering contract which was for a period of 2 years from May, 2023 to April, 2025.

The contention advanced on behalf of the applicants/IOC is that since the catering service pertain to BGR Guest House of the applicant at Six Mile, liberty may be granted to the applicants to have some alternative arrangement so that the guests do not have to face any problems.

Shri Sarma, learned Senior Counsel for the opposite party/writ petitioner submits that the entire writ petition can be heard instead of passing an interim order. However, the learned Senior Counsel has fairly submitted that the catering services in question are essential in nature.

Keeping in view the aforesaid facts and circumstances and without making any observation on the *inter se* merits of the dispute, it is provided that the applicants/IOC may make alternative arrangements for providing catering services in the BGR Guest House at Six Mile, Guwahati. The arrangement would, however, be effective till the next date fixed or till further order(s) passed by this Court.

As agreed to by the learned counsel for the parties, list the connected writ petition for disposal on 20.02.2024.

Interlocutory application stands disposed of.

JUDGE

Comparing Assistant