

HIGH COURT OF TRIPURA

_A_G_A_R_T_A_L_A_

WP(C) No.18 of 2026

1. Sri Prabir Kumar Majumder, son of late Haripada Majumder, proprietor of M/s P. K. Petroleum Agency, Sabroom, South Tripura.

.....Petitioner

_V_E_R_S_U_S_

1. Indian Oil Corporation Limited, through its Chairman-cum-Managing Director, Indian Oil Bhawan, G-9, Ali Yavar Jung Marg, Bandra (East), Mumbai-400051.
2. The Divisional Retail Sales Head, Indian Oil Corporation Limited, Silchar Divisional Office, Cachar, Assam-788030.

.....Respondents

For Petitioner(s)	:	Mr. S. Das, Advocate.
For Respondent(s)	:	Ms. P. Dhar, Advocate.

HON'BLE JUSTICE DR. T. AMARNATH GOUD

_F_I_N_A_L_O_R_D_E_R_

15.01.2026

[1] The present petition has been filed under Article-226 of the Constitution of India directing the respondents to cancel the dealership of the petitioner and to allow continuation and resumption of operation of the retail outlet of the petitioner at Sabroom, South Tripura, in the interest of justice, consumers and equity, in pursuance to the letters dated 13.10.2025 & 28.10.2025 issued by the Addl. D.M. & Collector, South Tripura & SDM, Sabroom, South Tripura. Further, to cancel the show cause notice for termination of dealership agreement between the petitioner and the respondents vide Ref. No.SCN/SDO/Term/184486 dated 07.11.2025.

[2] The petitioner has prayed for the following reliefs:

“Issue a writ in the nature of mandamus directing the respondents and each of them not to cancel the dealership of the petitioner and to allow continuation and resumption of operation of the retail outlet of the petitioner at Sabroom, South Tripura, in the interest of justice, consumers, and equity, in pursuance to letter dated 13.10.2025 & 28.10.2025 issued by the Addl. D. M. & Collector South Tripura & SDM, Sabroom, South Tripura.

AND

Issue writ in the nature of certiorari to cancel the show cause notice for termination of dealership agreement between the petitioner and respondents vide Ref: No.SCN/SDO/Term/184486 dated 7.11.2025, Annexure-C.

In the meantime, pending disposal of the writ petition, the petitioner prays for an interim direction allowing him to restart the retail outlet operations, in the interest of consumers.”

[3] The facts in brief are that a long-standing and bona fide dealer of Indian Oil Corporation Limited (IOCL), seeking judicial review of the arbitrary, illegal, and disproportionate action of the respondent authorities in cancelling the dealership of the petitioner's Retail Outlet situated at Sabroom, South Tripura, a remote and sensitive border area. The petitioner has been operating the said Retail Outlet since 2004 without any complaint relating to adulteration, short delivery, black-marketing, or consumer dissatisfaction. The outlet caters to the essential fuel requirements of the local population, government vehicles, ambulances, agricultural machinery, and other emergency services in a geographically isolated region near the international border. Due to unavoidable and exceptional circumstances, including the petitioner's bypass heart surgery in 2018 and the petitioner's younger son being diagnosed with testicular cancer in 2022, the petitioner faced severe physical, mental, and financial hardship. During this period, the petitioner temporarily entrusted management functions for continuity of fuel supply solely in the interest of consumers, without transferring or alienating the dealership in any manner. On the basis of certain alleged irregularities, IOCL issued a Show Cause Notice dated 07.11.2025 proposing termination of the dealership. The petitioner submitted a detailed reply supported by medical documents and binding judicial orders demonstrating that (i) there was no transfer or sub-letting of the dealership; (ii) no valid Power of Attorney or agreement subsists; (iii) all alleged documents relied upon by IOCL had already been quashed by competent civil courts, affirmed up to the Hon'ble High Court of Tripura.

[4] Subsequently, minutes of meeting dated 16.07.2025 recorded IOCL's direction for submission of outstanding dues, which the petitioner duly complied then and then with by issuing a cheque. The petitioner also initiated renovation and restoration work to resume operations at the earliest. Despite granting personal hearing on 15.12.2025, the respondent authorities failed to meaningfully consider the petitioner's explanation, medical exigencies, compliance, judicial orders, and the larger consumer and public interest, and proceeded to cancel the dealership in a mechanical and punitive manner. The impugned action is violative of Articles-14 and 21 of the Constitution of India, the principles of natural justice, and the doctrine of proportionality, especially when no consumer detriment has been

alleged or established. The cancellation has resulted in acute hardship to the public in a border and rural area, compelling consumers to travel long distances for fuel, thereby affecting livelihood, mobility, and emergency services. The petitioner, having demonstrated *bona fide* conduct, readiness to resume operations, and absence of any *mala fide* intent, seeks intervention of this Court to protect not only his livelihood but also the paramount interest of consumers and public welfare.

[5] Hence, the present petition has been filed by the petitioner before this Court for redress.

[6] Heard both sides.

[7] Upon instruction, learned counsel appearing for the IOCL represents that in pursuance of the show cause and personal hearing, proceedings have been recorded on 15th December, 2025 and upon which, the decision would be taken by the competent authority on the said show cause for termination. It is also contended that the petitioner has not approached this Court with clean hands and he has suppressed the facts of civil litigation before the High Court and other forum between the petitioner and the attorney holder (Benami) who is running the business of the petrol pump and further, prayed to dismiss the writ petition.

[8] At this juncture, it is not for this Court to appreciate the matter under Article-226 of the Constitution of India since the submission is made before the competent authority, who would be taken a decision in pursuance of the hearing made on 15th December, 2025.

[9] In that view of the matter, the present petition stands disposed of without expressing any opinion on merits directing the respondents to take a decision at the earliest and communicate the same to the petitioner. In the event, if the petitioner is aggrieved by any such order, it is always open to him to avail remedies under the law.

[10] Accordingly, the petition stands disposed of. As a sequel, miscellaneous application pending, if any, shall stand closed.

DR.T. AMARNATH GOUD, J

A. Ghosh

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