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

Case No. : I.A.(Civil)/1494/2026
In WP(C)/2160/2026

MS NABAJYOTI GAS AGENCY
AN INDANE DISTRIBUTORSHIP AND PROPRIETORSHIP FIRM LOCATED AT HATIGARH CHARIALI, MOTHER TERESA ROAD, BUWAHATI 781024 REPRESENTED BY ITS PROPRIETOR SMT. MRS ARCHANA HAZARIKA, W/O LATE NABAJYOTI HAZARIKA, AGED ABOUT 53 YEARS, R/O HOUSE NO 5, RUPALI PATH, RGB ROAD, AIDC, NABING NAGAR, GUWAHATI 781024, ASSAM.

VERSUS

THE INDIAN OIL CORPORATION LIMITED AND ORS
REPRESENTED BY ITS MANAGING DIRECTOR HAVING ITS REGISTERED OFFICE AT INDIAN OIL BHAVAN G 9 ALI YAVAR MARG BANDRA EAST MUMBAI 400051

2:THE INDIAN OIL ASSAM OIL DIVISION
INDIAN OIL CORPORATION LIMITED NORTH GUWAHATI LPG BOTTLING PLANT PO COLLEGE NAGAR ABHOYPUR NORTH GUWAHATI 781031 ASSAM

3:THE CHIEF MANAGER PLANT
INDIAN OIL CORPORATION LIMITED NORTH GUWAHATI LPG BOTTLING PLANT PO COLLEGE NAGAR ABHOYPUR NORTH GUWAHATI GUWAHATI 781031 ASSAM

4:THE DEPUTY GENERAL MANAGER
LPG SALES INDIAN OIL CORPORATION LIMITED NORTH GUWAHATI LPG BOTTLING PLANT PO COLLEGE NAGAR ABHOYPUR NORTH GUWAHATI GUWAHATI 781031 ASSAM

5:THE DEPUTY GENERAL MANAGER PLANT

INDIAN OIL CORPORATION LIMITED NORTH GUWAHATI LPG BOTTLING PLANT PO COLLEGE NAGAR ABHOYPUR NORTH GUWAHATI GUWAHATI 781031 ASSAM

6:THE CHIEF GENERAL MANAGER
INDIAN OIL ASSAM OIL DIVISION NORTH EAST INTEGRATED STATE OFFICE INDIAN OIL BHAWAN SECTION III GUWAHATI REFINERY TOWNSHIP NOONMATI GUWAHATI 781020 ASSA

Advocate for the Petitioner : MR. K N CHOUDHURY, MR. R M DEKA,N GAUTAM,MR. D J DAS,MR. TANUZ KASHYAP

Advocate for the Respondent : SC, I O C,

Linked Case : **WP(C)/2160/2026**

MS NABAJYOTI GAS AGENCY
AN INDANE DISTRIBUTORSHIP AND PROPRIETORSHIP FIRM LOCATED AT HATIGARH CHARIALI
MOTHER TERESA ROAD
BUWAHATI 781024 REPRESENTED BY ITS PROPRIETOR SMT. MRS ARCHANA HAZARIKA
W/O LATE NABAJYOTI HAZARIKA
AGED ABOUT 53 YEARS
R/O HOUSE NO 5
RUPALI PATH
RGB ROAD
AIDC
NABING NAGAR
GUWAHATI 781024
ASSAM.

VERSUS

THE INDINA OIL CORPORATION LTD AND 5 ORS
REPRESENTED BY ITS MANAGIHNG DIRECTOR
HAVING ITS REGISTERED OFFICE AT INDIAN OIL BHAVAN
G-9
ALI YAVAR MARG
BANDRA EAST
MUMBAI 400051

2:THE INDIAN OIL ASSAM OIL DIVISION

INDIAN OIL CORPORATION LTD.
NORTH GUWAHATI

LPG BOTTLING PLANT
P.O. COLLEGE NAGAR
ABHOYPUR
NORTH GUWAHATI
PIN 781031
ASSAM.

3:THE CHIEF MANAGER (PLANT)
INDIAN OIL CORPORATION LTD. NORTH GUWAHATI LPG BOTTLING PLANT
P.O. COLLEGE NAGAR
ABHOYPUR
NORTH GUWAHATI
GUWAHATI
PIN 781031
ASSAM.

4:THE DEPUTY GENERAL MANAGER

LPG SALES INDIAN OIL CORPORATION LTD. NORTH GUWAHATI LPG BOTTLING PLANT
P.O. COLLEGE NAGAR
ABHOYPUR
NORTH GUWAHATI
GUWAHATI 781031
ASSAM.

5:THE DEPUTY GENERAL MANAGER (PLANT)
INDIAN OIL CORPORATION LTD. NORTH GUWAHATI LPG BOTTLING PLANT
P.O. COLLEGE NAGAR
ABHOYPUR
NORTH GUWAHATI
GUWAHATI
PIN 781031
ASSAM.

6:THE CHIEF GENERAL MANAGER
INDIAN OIL ASSAM OIL DIVISION
NORTH EAST INTEGRATED STATE OFFICE
INDIAN OIL BHAWAN
SECTION III
GUWAHATI REFINERY TOWNSHIP
NOONMATI
GUWAHATI 781020
ASSAM.

Advocate for : MR. K N CHOUDHURY
Advocate for : SC
I O C appearing for THE INDINA OIL CORPORATION LTD AND 5 ORS

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

17.06.2026

Heard Shri D. J. Das, learned counsel for the petitioner. Also heard Shri M. Sarma, learned counsel appearing for the IOC.

The instant petition under Article 226 of the Constitution of India has been filed challenging a show cause notice dated 19.02.2025 issued by the Deputy General Manager (Plant), North Guwahati Bottling Plant, IOC and also for a direction for return of an amount of Rs.2,31,338/- (Rupees Two Lakh Thirty One Thousand Three Hundred Thirty Eight) only. The petitioner is a distributor of LPG Cylinders under IOCL.

The IA has been filed bringing to notice further deduction of Rs.2,20,322/- (Rupees Two Lakh Twenty Thousand Three Hundred Twenty Two) only.

It is submitted in the Bar that similar issues had come up before this Court and have been resolved. One such order dated 07.04.2026 passed in WP(C)/2034/2026 has also been placed before this Court.

Shri Sarma, the learned Standing Counsel has also informed that in the meantime, the ERV slips have been couriered to the petitioner and they are required to appear before the plant authorities.

In view of the above and following the orders passed in similar matters, the present writ petition is disposed of with the following directions:

(i) The representative of the petitioner shall appear before the respondent no. 3 at 11:00 a.m. on 26.06.2026.

(ii) As regards the ERV slips which have been stated to be couriered

to the petitioner, there is a dispute with regard to the numbers. The said issue can be taken up in hearing.

(iii) The petitioner is given liberty to submit the reply on or before 10.07.2026.

(iv) The respondent Corporation shall pass appropriate order(s) duly taking into consideration the reply to the notice, if so submitted by the petitioner thereupon.

(v) The amount which has already been deducted would be subject to the outcome of the proceeding.

(vi) Till such decision is taken, the respondent authorities shall not proceed with debit/deduction from the entitlement of the petitioner.

Both the writ petition and the IA stand disposed of.

JUDGE

Comparing Assistant