

08-05-2025
Item No.310 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.2793 of 2024

Sri Sanjib Mondal

-vs-

Union of India & Ors.

Mr. Partha Pratim Roy

Mr. Debottam Das

Mr. Kaustav Banerjee ...for the petitioner

Mr. Puspendu Chakraborty ...for IOCL

1. The petitioner claims that though M/s. Memari Gas Agency is a partnership firm but IOCL has registered the same as a proprietorship business represented by Sri. Rajib Mondal, the private respondent herein.
2. Prayer has been made to direct the concerned authority to register the business in the joint name of the partners, that is the petitioner and the private respondent.
3. None represents the private respondent. Affidavit of service is on record.
4. Learned counsel for IOCL submits, upon instructions, that a suit between the petitioner and the private respondent in respect of the same business is pending consideration before a civil court.
5. Upon hearing the respective submissions made on behalf of both the parties, it appears that the dispute between the petitioner and the private respondent is purely private and civil in nature.

The oil company has been roped in only for the purpose of instituting the instant writ petition. Civil dispute in between private parties ought to be adjudicated before the competent civil court.

6. It will be open for the petitioner to approach the competent forum for remedy.
7. The writ petition fails and is hereby dismissed.
8. All parties are to act on the server copy of this order duly downloaded from the official website of this court.
9. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]