

25.08.2025
SL No.51
Court No.24
Ali

WPA 13748 of 2025

**Tushar Gandhi @ Tushar Jawaharlal Gandhi & Anr.
Versus
Bharat Petroleum Corporation Ltd. & Ors.**

Mr. Soumavo Mukherjee,
Mr. Indranil Munshi

..... for the petitioners.

Mr. S.K. Pal
Mr. Bimalendu Das,
Ms. S. Das

.... for the respondent Nos. 1-7.

Mr. Jaideep Kar, Sr. Adv.
Mr. Siddharta Ghosh

.... for the respondent Nos. 8-9.

Affidavit of service filed on behalf of the petitioner is taken on record.

Show Cause Notices issued by the Bharat Petroleum Corporation Limited on 10th of July, 2025 and the reply filed by the petitioners on 22nd of July, 2025 be taken on record.

The private respondent Nos. 8 and 9 is at leave to file their power in course of this day.

Petitioners are aggrieved against the conduct of the respondent authorities regarding allowing business in the name of M/s. Bilimoria Brothers (respondent No. 10).

It is the contentions of the petitioners that the petitioners and respondent Nos. 8 and 9 are the partners of respondent No. 10.

The petitioners made detailed representations with the authority on 2nd of June, 2025 and 4th of June, 2025 regarding unauthorized induction of Ronak M. Gandhi (respondent No. 9).

It is the further contentions of the petitioners that an arbitration proceeding is going on between the partners regarding their disputes in the said partnership. The authority concerned without considering the entire dispute allowed the business to run in the name of respondent No. 10.

Learned counsel appearing on behalf of the BPCL submits that on the basis of the representations of the petitioners the authority concerned has already taken steps, show cause has already been issued on 10th of July, 2025.

Learned counsel for the BPCL further submits that reply to the show cause has already been filed by respondent Nos. 8 and 9 as well as the respondent No. 1.

Learned counsel for the petitioners submits that the BPCL while issuing the show cause has not dealt with all the objections and points of representations filed by them to the authority concerned.

Learned counsel appearing on behalf of respondent Nos. 8 and 9 submits that the instant writ petition is infructuous. The issue has not been decided yet by the Oil Marketing Company, thus, the instant writ petition is liable to be dismissed.

It appears that the BPCL has already taken note of the objections and representations of the petitioners on the basis of which they issued a show cause. However, the show cause, at the option of the petitioners, is not dealing with all the representations and points thereof. Thus, the petitioners are at liberty to demonstrate all his grievances during the hearing to be given by Oil Marketing Company to all the parties concerned.

I make it clear that as the respondent authority has already initiated a process to determine the issue. Thus, this Court refrain itself from passing any comments in respect of the merit of this matter.

Under the above observation, the instant writ petition is disposed of with a direction to the Oil Marketing Company (BPCL, Respondent Authority) to intimate the non replying parties to submit a reply within a specific period of two weeks from date and, thereafter, the BPCL shall arrange a date for hearing of the matter in presence of all parties concerned within five weeks from the date of

receiving of the reply. The decision of the authority shall be intimated to all concerned by 28th of November, 2025.

Under the above observations, the instant writ petition is disposed of.

Parties to act upon the server copy and urgent certified copy of this order be provided on usual terms and conditions.

(Subhendu Samanta, J.)