GAHC010178992026

undefined

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

Case No. : I.A.(Civil)/3022/2026

JITEN GOGOI AND ANR
S/O LATE GOLAP GOGOI, RESIDENT OF KHANIKAR, DIBRUGARH, P.O.- SESSA, P.S.- DIBRUGARH, DISTRICT- DIBRUGARH, ASSAM

2: KALLUL GOGOI
S/O LATE BUDHIN GOGOI
R/O MANCOTTA
HATIMURAH
P.O.- SESSA
P.S.- DIBRUGARH
DISTRICT-DIBRUGARH
ASSA

VERSUS

M/S INDIAN OIL CORPORATION LTD AND 3 ORS.
REPRESENTED BY ITS GENERAL MANAGER, IOCL (MARKETING DIVISION), NOONMATI, GUWAHATI-20

2:THE DEPUTY GENERAL MANAGER (RETAIL SALES)
IOCL
TINSUKIA DIVISION OFFICE
SRIPURIA
P.O. AND DISTRICT- TINSUKIA
ASSAM
PIN- 786125.

3:THE DIVISIONAL RETAIL SALES MANAGER (SDRSM)
TINSUKIA DIVISIONAL OFFICE
P.O. AND DISTRICT- TINSUKIA
ASSAM. PIN- 786125.

4:GIRIN GOGOI @ GIRINDRA GOGOI
SON OF LATE GOLAP GOGOI

RESIDENT OF KHANIKAR GAON
P.O.- SESSA
P.S.- DIBRUGARH DISTRICT- DIBRUGARH
ASSAM

Advocate for the Petitioner : MR B KAUSHIK, P LHAMU,MR. S HAZARIKA

Advocate for the Respondent : MR. A JAHID, MR. R S MISHRA

Linked Case : WP(C)/283/2026

GIRIN GOGOI ALIAS GIRINDRA GOGOI
S/O- GOLAP GOGOI
RESIDENT OF KHANIKAR GAON
P.O SEESA
P.S AND DICTRICT- DIBRUGARH
ASSAM

VERSUS

M/S INDIAN OIL CORPORATION LTD. AND 2 ORS
REPRESENTED BY ITS GENERAL MANAGER
IOCL (MARKETING DIVISION) NOONMATI
GUWAHATI- 20.

2:THE DEPUTY GENERAL MANAGER (RETAIL SALES)
IOCL

TINSUKIA DIVISIONAL OFFICE SRIPURIA
P.O. AND DIST. TINSUKIA
ASSAM
PIN- 786125.

3:THE DIVISIONAL RETAIL SALES MANAGER (SDRSM)
TINSUKIA DIVISIONAL OFFICE
P.O. AND DIST. TINSUKIA
ASSAM
PIN- 786125.

Advocate for : MR. R S MISHRA
Advocate for : SC
I O C appearing for M/S INDIAN OIL CORPORATION LTD. AND 2 ORS

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

07.10.2026

1. Heard Mr. B. Kaushik, learned counsel for the applicants. Also heard Mr. R. S. Mishra, learned counsel for the writ petitioner/opposite party.

2. The applicants by way of filing this application, seeks their impleadment as the respondent Nos. 4 and 5, in the connected writ petition being WP(C) No. 283/2026.

3. The connected writ petition is filed against a communication dated 06.01.2026 issued by the Divisional Retail Sales Manager, Tinsukia Divisional Office, IOCL, whereby, the supplies to the retail Petroleum Outlet has been suspended w.e.f. 07.01.2026.

4. The pleadings of the connected writ petition show that such action was taken on the allegation of non fulfillment of a stipulation as regards the ownership of the land from which the petrol pump is being run.

5. The present applicants claim to be co-sharers of the said land and also claim that it is their representation based on which, the IOCL initiated the action and therefore, they are an interested party in the connected writ petition.

6. Mr. Mishra, learned counsel for the writ petitioner objects to such an impleadment petition, particularly, on the ground that the writ petitioner is the co-owner and he has a right to carry on the business from the said petrol pump, more particularly, in a situation that based on such an arrangement, he

was allowed to run the Outlet since the year 2019 and the applicants have raised their grievance after so many years.

7. Be that as it may, taking note of the entire issue, this Court is of the opinion that the applicants are required to be impleaded as respondent Nos. 4 and 5 in the connected writ petition for proper adjudication. Ordered accordingly.

8. The writ petitioner shall furnish an amended cause title in terms of the Notification No. 19 dated 19.06.2023 before the Registry within a period of two weeks from today. Thereafter, the Registry shall do the needful accordingly.

9. With the aforesaid, this Interlocutory Application stands disposed of by allowing the prayer.

JUDGE

Comparing Assistant