GAHC010186562025

2026:GAU-AS:14773

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

Case No. : WP(C)/4788/2025

SARBESWAR KALITA
S/O- LATE MITHARAM KALITA, H.NO-5, VAISHNAV DEVI PATH, NO-2 MATHGHARIA, NEAR MODERN HIGH SCHOOL, P.O- NOONMATI, GUWAHATI-20, ASSAM

2: RUMI DAS TALUKDAR
W/O- LATE GUNAJIT TALUKDAR

SHIV NAGAR
NO-2 SALBARI

P.O- NOONMATI
GUWAHATI-20
ASSAM

3: PARIMA DEVI TALUKDAR
W/O- LATE PARMA NANDA TALUKDAR

SHIV NAGAR
NO-2 SALBARI

P.O- NOONMATI
GUWAHATI-20
ASSAM

4: BHUP NARAYAN CHOUDHURY
S/O- LATE RAM NARAYAN CHOUDHURY

JAYANTA NAGAR
H. NO-34 A

P.S AND P.O- NOONMATI
GUWAHATI-20
ASSAM

5: PULENDRA KUMAR TALUKDAR
S/O- LATE HARENDRA NATH TALUKDAR

H.NO-10
AJANTA NAGAR
KHALBARI

P.O- NOONMATI
GUWAHATI-20
ASSAM

6: SONARAM SAIKIA
S/O- SARUKAN SAIKIA
SHIV NAGAR
NO-2 SALBARI
P.O- NOONMATI
GUWAHATI-20
ASSAM

7: DULAL PATHAK
S/O- LATE SURYA RAM PATHAK
H.NO-56
EAST JYOTINAGAR
P.O- NOONMATI
GUWAHATI-20
ASSAM

8: BIJULEE PATGIRI
WO- BINOD PATGIRI
H.NO- 23
BISHNU RAVA NAGAR
BYE LANE -6
P.O- NOONMATI
GUWAHATI-20
ASSAM

9: MAUSUMI KAKATI
H.NO- 24
BISHNU RAVA NAGAR
BYE LANE -6
P.O- NOONMATI
GUWAHATI-20
ASSAM

10: SURENDRA NATH BHATTACHARYA
S/O- LATE BHUBANESWAR BHATTACHARYA
H.NO- 10

MATHGHARIA SRINAGAR
NEAR SRINAGAR L.P SCHOOL
P.O- NOONMATI
GUWAHATI-20
ASSA

VERSUS

INDIAN OIL CORPORATION LTD
A COMPANY INCORPORATED UNDER THE COMPANIES ACT , 1956 HAVING ITS REGISTERED OFFICE AT G-9, ALIYAVAR JUNG MARG, BANDRA (EAST), MUMBAI-400051,

2:EXECUTIVE DIRECTOR
INDIAN OIL CORPORATION LTD
REFINARIES DIVISION
GUWAHATI REFINERY
NOONMATI
GUWAHATI-20

3:THE MANAGER (EMPLOYEES RELATIONS)
INDIAN OIL CORPORATION LTD
GUWAHATI REFINERY
NOONMATI
GUWAHATI-2

Advocate for the Petitioner : MR S J CHOUDHURY, MS N RABHA,MR N TALUKDAR,MR. N NATH

Advocate for the Respondent : MR. N BARUAH, SC, I O C(R1,2,3), MS. P DUTTA(R1,2,3)

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 05.10.2026

1. Heard Mr. A Rajkhowa, learned counsel for the petitioners. Mr. N Baruah, learned standing counsel, Indian Oil Corporation Limited.

2. The petitioners are small businessmen and claim to have been carrying out their respective businesses for the last 20/30 years from their shops situated near the IOCL refinery at Noonmati. They claim that they run their shops from a market called Noonmati Market, established by IOCL in 1962 to cater to the needs of the residents of the IOCL township.

3. On 08.08.2025, a letter was issued under the signature of the Manager (Employee Relations), intimating the petitioners that the land under their occupation belongs to the Indian Oil Corporation Limited, Guwahati Refinery, and advised them to furnish any Ownership Document/Authorization Letter, or Agreement between the IOCL authority and them, and such information was to be furnished by the petitioners on or before 28.08.2025, and it was also intimated that otherwise they would have to vacate their occupation.

4. Being aggrieved, the petitioners have approached this court.

5. Mr. N Baruah, learned standing counsel, IOCL, on instruction, submits that there is no intention of IOCL, as of now, to evict the petitioners or/or that the letter is not part of any proposed eviction drive. Rather, it was an intimation to gather information on the rights of the petitioners in this regard.

6. On instruction, he further submits that no eviction action shall be carried out against the petitioners without adhering to the procedure laid down in the Public Premises (Eviction of Unauthorized Occupants) Act, 1971.

7. However, the learned counsel for the petitioners submits that a bare perusal of the impugned communication, dated 08.08.2025, discloses that the intention was nothing but eviction and, in fact, this is an eviction notice issued without following any procedure prescribed under law.

8. Be that as it may, in view of the statement of the learned Counsel for the respondent Corporation, the learned counsel for the petitioners submits that, for now, they would not like to press this petition; however, liberty is sought to approach this Court once again if any cause of action arises.

9. Accordingly, the writ petition stands disposed of on the basis of the undertaking given by the IOCL authority through its learned Standing Counsel. Liberty is granted to the petitioners to approach this Court if necessity arises.

JUDGE

Comparing Assistant