S/L 15
14.10.2026
Court. No. 25
Sourav

WPA 30422 of 2026

M/s. Grewal Auto Service
Vs.
Bharat Petroleum Corporation Limited & Ors.

Mr. Aayush Sharma

... for the petitioner.

Mr. Sanjib Kr. Mal
Ms. Shomrita Das
Mr. Shomrik Das

... for the respondent nos. 1 and 2.

1. The petitioner has filed the present writ application praying for setting aside the impugned communication dated October 8, 2026 wherein the petitioner has been directed to vacate the premises and to handover the premises to the BPCL.

2. Learned counsel for the petitioner submits that the BPCL without giving any opportunity and without following the due process of law intending to take possession of the premises. He prays for an order directing the respondent authorities, particularly, the BPCL not to take any action against the petitioner for eviction from the property in question without following the due process of law.

3. Learned counsel for the BPCL has raised objection with regard to the maintainability of the present writ application.

4. Learned counsel for the BPCL submits that being aggrieved and dissatisfied with the termination of contract between the petitioner and the BPCL, the petitioner has moved before the Commercial Court at Rajarhat and also prayed for interim order. Learned Commercial Court has refused to grant interim order. Being aggrieved with the refusal of

grant of interim order, the petitioner has preferred an appeal before the Commercial Division being AO-COM 42 of 2026 (M/s. Grewal Auto Service & Ors. Vs. Bharat Petroleum Corporation Limited) and the Hon'ble Division Bench has dismissed the appeal without granting any interim order as prayed by the petitioner.

5. After the dismissal of the appeal filed by the petitioner, the petitioner has filed the present writ application.

6. Heard the learned counsel for the respective parties. Perused the materials on record.

7. This Court finds that the petitioner has already approached the Commercial Court against the termination order and the petitioner has prayed the interim order but the Commercial Court has not granted the interim order. The petitioner has filed an appeal, the Appellate Court also refused to grant the interim order.

8. Considering the above, this Court finds that the writ petition is not maintainable. Accordingly, **WPA 30422 of 2026** is dismissed.

9. There shall, however, be no order as to costs.

10. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Krishna Rao, J.)