GAHC010102222026

2026:GAU-AS:15617

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

Case No. : WP(C)/2745/2026

M/S HELANG PHOM
THROUGH ITS PROPRIETOR MR. HELANG PHOM, HAVING ITS OFFICE AT H/N - 2B, NAHARBARI, NH 29, DIMAPUR, NAGALAND - 797 112.

VERSUS

THE UNION OF INDIA AND 5 ORS
REPRESENTED BY THE MINISTRY OF PETROLEUM AND NATURAL GAS THROUGH ITS SECRETARY, A-WING, SHASTRI BHAWAN, DR. RAJENDRA PRASAD ROAD, NEW DELHI - 110001

2:THE INDIAN OIL CORPORATION
REPRESENTED BY THE CHIEF GENERAL MANAGER
INDIAN OIL CORPORATION LIMITED (IOCL)
INDIAN OIL AOD STATE OFFICE
SECTOR-III
NOONMATI
GUWAHATI -781 020

3:THE GENERAL MANAGER L.P.G. (OPERATIONS)
THE INDIAN OIL CORPORATION LIMITED (IOCL)
INDIAN OIL AOD STATE OFFICE
SECTOR-III
NOONMATI GUWAHATI - 781 020

4:THE MANAGER L.P.G (OS) THE INDIAN OIL CORPORATION LIMITED (IOCL)
INDIAN OIL AOD STATE OFFICE
SECTOR-III
NOONMATI
GUWAHATI - 781020
ASSAM

5:THE DEPUTY MANAGER L.P.G (FINANCE)
THE INDIAN OIL CORPORATION LIMITED IOCL
INDIAN OIL AOD STATE OFFICE
SECTOR-III
NOONMATI
GUWAHATI 781 020
ASSAM

6:THE DEPUTY MANAGER L.P.G. (SALES)
THE INDIAN OIL CORPORATION LIMITED (IOCL)
INDIAN OIL AOD STATE OFFICE SECTOR-III
NOONMATI
GUWAHATI - 781 02

Advocate for the Petitioner : MR S BORTHAKUR, SR. ADV., MS J SAIKIA

Advocate for the Respondent : DY.S.G.I., MR. S S ROY(C.G.C.)R1,SC, I O C

Linked Case : WP(C)/2746/2026

M/S LIMA AKUM
THROUGH ITS PROPRIETOR OLANG OZUKUM
AGED ABOUT 35 YEARS
HAVING ITS OFFICE AT OZUKUM COMPLEX NEAR NAGAMESE CHURCH
AOYIMKUM VILLAGE
DIMAPUR - 797112
NAGALAND.

VERSUS

THE UNION OF INDIA AND 5 ORS
REPRESENTED BY THE MINISTRY OF PETROLEUM AND NATURAL GAS
THROUGH ITS SECRETARY
A-WING
SHASTRI BHAWAN
DR. RAJENDRA PRASAD ROAD
NEW DELHI - 110 001

2:THE INDIAN OIL CORPORATION
REPRESENTED BY THE CHIEF GENERAL MANAGER
INDIAN OIL CORPORATION LIMITED IOCL
INDIAN OIL AOD STATE OFFIC
SECTOR-III
NOONMATI

GUWAHATI -781 020

3:THE GENERAL MANAGER
L P G (OPERATIONS)

THE INDIAN OIL CORPORATION LIMITED
IOCL
INDIAN OIL AOD STATE OFFICE
SECTOR-III
NOONMATI GUWAHATI - 781 020

4:THE MANAGER L P G (OS) THE INDIAN OIL CORPORATION LIMITED (IOCL)
INDIAN OIL AOD STATE OFFICE
SECTOR-III
NOONMATI
GUWAHATI - 781 020
ASSAM

5:THE DEPUTY MANAGER L P G (FINANCE)
THE INDIAN OIL CORPORATION LIMITED IOCL
INDIAN OIL AOD STATE OFFICE
SECTOR-III
NOONMATI
GUWAHATI 781 020
ASSAM

6:THE DEPUTY MANAGER L P G (SALES)
THE INDIAN OIL CORPORATION LIMITED IOCL
INDIAN OIL AOD STATE OFFICE SECTOR-III
NOONMATI
GUWAHATI - 781 020

Advocate for : MR. S BORTHAKUR
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 5 ORS

Linked Case : WP(C)/2944/2026

SMTI SHRUTI AGARWAL
W/O SANJAY AGARWAL
R/O SURYAVILLAS
1ST FLOOR FLAT NO 1A
RKC ROAD
NEAR HARYANA BHAWAN
BHARALUMUKH
GUWAHATI

ASSAM 781009

VERSUS

THE UNION OF INDIA AND 5 ORS
REPRESENTED BY THE MINISTRY OF PETROLEUM AND NATURAL GAS
THROUGH ITS SECY
A WING
SHASTRI BHAWAN
DR. RAJENDRA PRASAD ROAD
NEW DELHI 110001

2:THE INDIAN OIL CORPORATION
REPRESENTED BY THE CHIEF GENERAL MANAGER
INDIAN OIL CORPORATION LTD IOCL
INDIAN OIL AOD STATE OFFICE
SECTOR III
NOONMATI
GUWAHATI 781020

3:THE GENERAL MANAGER
L.P.G. OPERATIONS
THE INDIAN OIL CORPORATION LTD IOCL
INDIAN OIL AOD STATE OFFICE
SECTOR III
NOONMATI
GUWAHATI 781020

4:THE MANAGER L P G OS
THE INDIAN OIL CORPORATION LTD. IOCL
INDIAN OIL AOD STATE OFFICE
SECTOR III
NOONMATI
GUWAHATI 781020
ASSAM.

5:THE DEPUTY MANAGER LPG SALES
THE INDIAN OIL CORPORATION LTD IOCL
INDIAN OIL AOD STATE OFFICE SECTOR III
NOONMATI
GUWAHATI 781020

Advocate for : MR S BORTHAKUR
SR. ADV.
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 5 ORS

Linked Case : WP(C)/2943/2026

KARAMVEER TRANSPOT CO PVT LTD
THROUGH ITS AUTHORIZED DIRECTOR
MR. KARAMVEER SINGH
HAVING ITS OFFICE AT 2ND FLOOR
UPOHAR TOWN CENTRE
2052 CHAK GARIA
KOLKATA 700094
WEST BENGAL.

VERSUS

THE UNION OF INDIA AND 6 ORS
REPRESENTED BY THE MINISTRY OF PETROLEUM AND NATURAL GAS
THROUGH ITS SECY.
A WING
SHASTRI BHAWAN
DR RAJENDRA PRASAD ROAD
NEW DELHI 110001

2:THE INDIAN OIL CORPORATION
REPRESENTED BY THE CHIEF GENERAL MANAGER
INDIAN OIL CORPORATION LTD IOCL
INDIAN OIL AOD STATE OFFICE
SECTOR III
NOONMATI
GUWAHATI 781020

3:THE GENERAL MANAGER LPG OPERATIONS
THE INDIAN OIL CORPORATION LTD IOCL
INDIAN OIL AOD STATE OFFICE
SECTOR III
NOONMATI GUWAHATI 781020

4:THE MANAGER LPG OS
THE INDIAN OIL CORPORATION LTD IOCL
INDIAN OIL AOD STATE OFFICE
SECTOR III
NOONMATI
GUWAHATI 781020
ASSAM.

5:THE DEPUTY MANAGER LPG FINANCE
THE INDIAN OIL CORPORATION LTD IOCL
INDIAN OIL AOD STATE OFFICE

SECTOR III
NOONMATI
GUWAHATI 781020
ASSAM.

6:THE DEPUTY MANAGER LPG SALES
THE INDIAN OIL CORPORATION LTD IOCL
INDIAN OIL AOD STATE OFFICE SECTOR III
NOONMATI
GUWAHATI 781020

7:CHIEF MANAGER LPG DISTRIBUTION
EAST ZONE
HINDUSTAN PETROLEUM CORPORATION LTD. PURBANCHAL BHAWAN
771 ANANDAPUR E.M. BYPASS
KOLKATA 700107

Advocate for : MR S BORTHAKUR
SR. ADV.
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 6 ORS

Linked Case : WP(C)/2770/2026

BAID PARIWAHAN LIMITED
THROUGH ITS DIRECTOR SMTI. JINI JAIN
AGED ABOUT 48 YEARS
HAVING ITS OFFICE AT 1-J
EMBASSY BUILDING
4
SHAKESPEARE SARANI
KOLKATA 700 071
WEST BENGAL.

VERSUS

THE UNION OF INDIA AND 5 ORS
REPRESENTED BY THE MINISTRY OF PETROLEUM AND NATURAL GAS
THROUGH ITS SECRETARY
A-WING
SHASTRI BHAWAN
DR. RAJENDRA PRASAD ROAD
NEW DELHI - 110 001

2:THE INDIAN OIL CORPORATION
REPRESENTED BY THE CHIEF GENERAL MANAGER

INDIAN OIL CORPORATION LIMITED (IOCL)
INDIAN OIL AOD STATE OFFICE
SECTOR-III
NOONMATI
GUWAHATI -781 020

3:THE GENERAL MANAGER L.P.G (OPERATIONS)
THE INDIAN OIL CORPORATION LIMITED (IOCL)
INDIAN OIL AOD STATE OFFICE
SECTOR-III
NOONMATI GUWAHATI - 781 020

4:THE MANAGER L.P.G (OS) THE INDIAN OIL CORPORATION LIMITED (IOCL)
INDIAN OIL AOD STATE OFFICE
SECTOR-III
NOONMATI
GUWAHATI - 781 020
ASSAM

5:THE DEPUTY MANAGER L.P.G (FINANCE)
THE INDIAN OIL CORPORATION LIMITED IOCL
INDIAN OIL AOD STATE OFFICE
SECTOR-III
NOONMATI
GUWAHATI 781 020
ASSAM

6:THE DEPUTY MANAGER L.P.G (SALES)
THE INDIAN OIL CORPORATION LIMITED IOCL
INDIAN OIL AOD STATE OFFICE SECTOR-III
NOONMATI
GUWAHATI - 781 020

Advocate for : MR S BORTHAKUR
SR. ADV.
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 5 ORS

Linked Case : WP(C)/2946/2026

MS KITCHENMATE
THROUGH ITS AUTHORIZED DIRECTOR MR ARUP MANDOL
HAVING ITS OFFICE AT JUNCTION OF VIDYASAGAR AVENUE AND KIRTIBAS ROAD NORTH
DURGAPUR STEEL TOWNSHIP
B ZONE

DURGAPUR 713205
WEST BENGAL

VERSUS

THE UNION OF INDIA AND 6 ORS
REPRESENTED BY THE MINISTRY OF PETROLEUM AND NATURAL GAS
THROUGH ITS SECY.
A WING
SHASTRI BHAWAN
DR RAJENDRA PRASAD ROAD
NEW DELHI 110001

2:THE INDIAN OIL CORPORATION
REPRESENTED BY THE CHIEF GENERAL MANAGER
INDIAN OIL CORPORATION LTD IOCL
INDIAN OIL AOD STATE OFFICE
SECTOR III
NOONMATI
GUWAHATI 781020

3:THE GENERAL MANAGER LPG OPERATIONS
THE INDIAN OIL CORPORATION LTD IOCL
INDIAN OIL AOD STATE OFFICE
SECTOR III
NOONMATI
GUWAHATI 781020

4:THE MANAGER LPG OS
THE INDIAN OIL CORPORATION LTD IOCL
INDIAN OIL AOD STATE OFFICE
SECTOR III
NOONMATI
GUWAHATI 781020
ASSAM.

5:THE DEPUTY MANAGER LPG SALES
THE INDIAN OIL CORPORATION LTD IOCL
INDIAN OIL AOD STATE OFFICE SECTOR III
NOONMATI
GUWAHATI 781020

6:CHIEF MANAGER LOGISTICS LPG
EAST BHARAT PETROLEUM CORPORATION LTD. BHARAT BHAVAN
PLOT NO 31
PRINCE GULAM MD. SHAH ROAD
GOLF GREEN

KOLKATA
WEST BENGAL 700095

Advocate for : MR S BORTHAKUR
SR. ADV.
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 6 ORS

Linked Case : WP(C)/2768/2026

PAWAN BAID
S/O- SRI BUDHMAL BAID
R/O- CAPITAL TRAVELS BUILDING
CLUB ROAD
SILCHAR - 788 001
ASSAM.

VERSUS

THE UNION OF INDIA AND 5 ORS
REPRESENTED BY THE MINISTRY OF PETROLEUM AND NATURAL GAS
THROUGH ITS SECRETARY
A-WING
SHASTRI BHAWAN
DR. RAJENDRA PRASAD ROAD
NEW DELHI - 110 001

2:THE INDIAN OIL CORPORATION
REPRESENTED BY THE CHIEF GENERAL MANAGER
INDIAN OIL CORPORATION LIMITED (IOCL)
INDIAN OIL AOD STATE OFFICE
SECTOR-III
NOONMATI
GUWAHATI -781 020

3:THE GENERAL MANAGER L.P.G (OPERATIONS)
THE INDIAN OIL CORPORATION LIMITED (IOCL)
INDIAN OIL AOD STATE OFFICE
SECTOR-III
NOONMATI GUWAHATI - 781 020

4:THE MANAGER L.P.G (OS) THE INDIAN OIL CORPORATION LIMITED (IOCL)
INDIAN OIL AOD STATE OFFICE
SECTOR-III
NOONMATI

GUWAHATI - 781020
ASSAM

5:THE DEPUTY MANAGER L.P.G (FINANCE)
THE INDIAN OIL CORPORATION LIMITED (IOCL)
INDIAN OIL AOD STATE OFFICE
SECTOR-III
NOONMATI
GUWAHATI 781020
ASSAM

6:THE DEPUTY MANAGER L.P.G (SALES)
THE INDIAN OIL CORPORATION LIMITED (IOCL)
INDIAN OIL AOD STATE OFFICE SECTOR-III
NOONMATI
GUWAHATI - 781 020

Advocate for : MR S BORTHAKUR
SR. ADV.
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 5 ORS

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 14.10.2026

1. Heard Mr. S Borthakur, learned senior counsel assisted by Ms. J Saikia, learned counsel for the petitioners. Also heard Mr. M Sharma, learned standing counsel, IOCL and Mr. S Borthakur, learned standing counsel, HPCL.

2. These batch of writ petitions relates to the Speaking order/Termination Order dated 05.05.2026, issued by the respondent authorities, terminating ATS Tank Trucks of the petitioners, withdrawing the Letter of Acceptance, and upholding suspension of the Tank Trucks of the petitioners inducted under the Agreement to Sale (ATS) framework, pursuant to a Notice Inviting Tender (NIT) dated

01.03.2025, for Bulk LPG Transportation in the State of Assam and Meghalaya.

3. Challenge to similar speaking order arising out of the same tender process has been determined by a Coordinate Bench in a batch of writ petitions, under its judgment and order (Oral), dated 05.10.2026 in WP(C) 2747/2026 and other connected writ petitions.

4. The learned counsel for the parties at bar, submits that the present writ petitions shall also be covered by the said decision.

5. Accordingly, Mr. Sharma, learned Standing Counsel, IOCL, submits that necessary exercise shall be carried out in respect of the present petitioners too, in terms of the aforesaid judgment.

6. The relevant portion of the judgment is quoted herein below

> "*65. In view of the aforesaid discussion, the impugned orders of termination insofar as they relate to the petitioners who had complied with the conditions stipulated in the note dated 15.01.2026 cannot be sustained and warrant interference in exercise of the extraordinary writ jurisdiction of this Court.*
>
> *66. However, insofar as the petitioners who failed to upload the updated RC within the stipulated period and consequently did not satisfy the conditions for availing the relaxation contained in the note dated 15.01.2026 are concerned, the impugned orders do not suffer from any such manifest arbitrariness or perversity as would warrant interference under Article 226 of the Constitution of India. The termination orders in respect of such petitioners, therefore, warrant no interference.*
>
> *67. Accordingly, the respondent authorities are directed to verify the case of the petitioners as regards whether they*

have uploaded the RC either along with the amended PESO license or with the stipulated time within which such PESO License would be completed in terms of the note to the E-mail dated 15.01.2026 on or before 21:00 hours of 15.01.2026. Upon such verification being made, the petitioners who have taken action in terms of the note contained in the E-mail dated 15.01.2026, the respondents shall revoke the termination orders issued to such petitioners in respect of such work orders. However, the termination orders in respect of the remaining petitioners who did not take action in terms of the said note, would continue to operate.

68. It is needless to be clarified that the above exercise shall be completed positively within a period of one month, from the date of receipt of certified copy of this Court's order."

7. In view of the aforesaid, these batch of writ petitions stands disposed of in terms of the determination made in the order dated 05.10.2026, passed in WP(C) No.2747/2026 & other connected writ petitions.

8. Accordingly, these batch of writ petitions stands disposed of in terms of the aforesaid determination, more particular, in terms of the above quoted paragraphs.

JUDGE

Comparing Assistant