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

Case No. : WP(C)/1549/2026

K.C. TRANSPORT AND ASSOCIATES
A PARTNERSHIP FIRM REGISTERED UNDER THE INDIAN PARTNERSHIP
ACT, 1932 HAVING ITS OFFICE AT MIRZA, P.O.- MIRZA, DIST.- KAMRUP,
ASSAM.

REPRESENTED BY SRI SUBHASH KUMAR, AGED ABOUT 64 YEARS, SON
OF LATE ADIT CHANDRA KUMAR, RESIDENT OF MIRZA, P.O. MIRZA,
PALASHBARI, DISTRICT KAMRUP, ASSAM

VERSUS

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

3:THE INDIAN OIL CORPORATION LIMITED
REPRESENTED BY ITS MANAGING DIRECTOR
HAVING ITS REGISTERED OFFICE AT INDIAN OIL BHAVAN
G-9
ALI YAVAR MARG
BANDRA EAST
MUMBAI 400051

4:THE CHIEF GENERAL MANAGER (LPG)

INDIAN OIL
AOD STATE OFFICE
INDIAN OIL CORPORATION
SECTOR III
NOONMATI
GUWAHATI

KAMRUP (M)
ASSAM
PIN 781021.9

5:THE DIRECTOR
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (MVL) SECTION
TRANSPORT BHAWAN
1 PARLIAMENTARY STREET
NEW DELHI-110001

6:THE COMMISSIONER OF TRANSPORT
DEPARTMENT OF TRANSPORT
GOVERNMENT OF ASSAM
PARIVAHAN BHAWAN
NIPCCD REGIONAL CENTRE
302
TRIPURA RD
JAWAHAR NAGAR
KHANAPARA
GUWAHATI
ASSAM
PIN 781022.

7:MS TATA MOTORS LIMITED
24
BOMBAY HOUSE
HOMI MODY STREET
MUMBAI- 400001.

Advocate for the Petitioner : MR. TANUZ KASHYAP, N GAUTAM,MR. R M DEKA,MR. K N CHOUDHURY

Advocate for the Respondent : SC, OIL, N KUMARI (R-7),B SAHA,MR B P SARMAH (R-7),MR. C CHAKRAVARTY (R-7),MR. R HAZARIKA (R-7),MR. S SARMA (R-7),MR. JYOTIRMOY ROY (R-7),MR. S S ROY(C.G.C.)R1,4,DY.S.G.I.,SC, TRANSPORT DEPARTMENT, ASSAM

Linked Case : WP(C)/1460/2026

RAJA RAM MALAKAR
S/O- BAPURAM MALAKAR.
R/O- H.NO.6
TULA FACTORY
SEWALI PATH

FATASHIL AMBARI
GUWAHATI
KAMRUP(M)
PIN - 781025
ASSAM.

VERSUS

INDIAN OIL CORPORATION LIMITED AND ORS
REPRESENTED BY ITS CHAIRMAN AND HAVING ITS HEAD OFFICE AT
INDIAN OIL BHAVAN
3079/3
SADIQ NAGAR
J.B. TITO MARG
NEW DELHI-110049.

2:THE EXECUTIVE DIRECTOR (LPG)
INDIAN OIL CORPORATION LTD
INDIAN OIL BHAVAN
G-9
ALI YAVAR HUNG MARG
BANDRA (EAST)
MUMBAI-400051
MAHARASHTRA.

3:THE CHIEF GENERAL MANAGER (LPG)
INDIAN OIL AOD STATE OFFICE
INDIAN OIL BHAVAN
INDIAN OIL AOD STATE OFFICE
SECTOR -III
NOONMATI
GUWAHATI-781020
DIST.- KAMRUP(M)
ASSAM.

4:THE DISTRICT TRANSPORT OFFICER
KARBI ANGLONG
DIPHU
KARBI ANGLONG
PIN - 782460
ASSAM.

5:M/S TATA MOTORS LTD.
REPRESENTED BY MANAGING DIRECTOR AND HAVING ITS REGISTERED
ADDRESS AT BOMBAY HOUSE
24 HOMI MODY STREET
MUMBAI

PIN - 400001
MAHARASTRA.

Advocate for : MR. K P PATHAK
Advocate for : SC
I O C appearing for INDIAN OIL CORPORATION LIMITED AND ORS

Linked Case : WP(C)/1572/2026

MAA DURGA TRANSPORT AND ASSOCIATES
A PARTNERSHIP FIRM REGISTERED UNDER THE INDIAN PARTNERSHIP
ACT
1932 HAVING ITS OFFICE AT DAKHOLA
DISTRICT KAMRUP
ASSAM
REPRESENTED BY SRI ABHIJIT KALITA
SON OF LATE RABINDRA CHANDRA KALITA
RESIDENT OF MIRZA NARAYANPUR
.. MIRZA
KAMRUP
ASSAM

VERSUS

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

2:THE INDIAN OIL CORPORATION LIMITED
REPRESENTED BY ITS MANAGING DIRECTOR
HAVING ITS REGISTERED OFFICE AT INDIAN OIL BHAVAN
G-9
ALI YAVAR MARG
BANDRA EAST
MUMBAI- 400051.

3:THE CHIEF GENERAL MANAGER (LPG)
INDIAN OIL
AOD STATE OFFICE
INDIAN OIL CORPORATION
SECTOR III

NOONMATI
GUWAHATI
KAMRUP M
ASSAM
PIN - 781021.

4:THE DIRECTOR
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (MVL) SECTION
TRANSPORT BHAWAN
1 PARLIAMENTARY STREET
NEW DELHI 110001

5:THE COMMISSIONER OF TRANSPORT
DEPARTMENT OF TRANSPORT
GOVERNMENT OF ASSAM
PARIVAHAN BHAWAN
NIPCCD REGIONAL CENTRE
302
TRIPURA RD
JAWAHAR NAGAR
KHANAPARA
GUWAHATI
ASSAM
PIN- 781022

6:M/S TATA MOTORS LTD
24
BOMBAY HOUSE
HOMI MODY STREET
MUMBAI400001
MAHARASHTRA

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

Linked Case : WP(C)/1627/2026

LUIT TRANSPORT AND ASSOCIATES
A PARTNERSHIP FIRM REGISTERED UNDER THE INDIAN PARTNERSHIP
ACT
1932 HAVING ITS OFFICE AT VILLAGE KOKJAR
MIRZA
DISTRICT- KAMRUP
ASSAM
REPRESENTED BY SRI SANJIB CHOUDHURY
AGED ABOUT 50 YEARS

SON OF PRADYUMNA SINGHA CHOUDHURY
RESIDENT OF MIRZA NARAYANPUR
P.O.- MIRZA
DISTRICT- KAMRUP
ASSAM
PIN- 781125

VERSUS

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

2:THE INDIAN OIL CORPORATION LIMITED
REPRESENTED BY ITS MANAGING DIRECTOR
HAVING ITS REGISTERED OFFICE AT INDIAN OIL BHAVAN
G-9
ALI YAVAR MARG
BANDRA EAST
MUMBAI- 400051

3:THE CHIEF GENERAL MANAGER (LPG)
INDIAN OIL
AOD STATE OFFICE
INDIAN OIL CORPORATION
SECTOR III
NOONMATI
GUWAHATI
KAMRUP M
ASSAM
PIN 781021.

4:THE DIRECTOR
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (MVL) SECTION
TRANSPORT BHAWAN
1 PARLIAMENTARY STREET
NEW DELHI-110001.

5:THE COMMISSIONER OF TRANSPORT
DEPARTMENT OF TRANSPORT GOVERNMENT OF ASSAM
PARIVAHAN BHAWAN
NIPCCD REGIONAL CENTRE
302

TRIPURA RD
JAWAHAR NAGAR
KHANAPARA
GUWAHATI
ASSAM
PIN 781022

6:M/S TATA MOTORS LTD
24
BOMBAY HOUSE
HOMI MODY STREET
MUMBAI-400001
MAHARASHTRA.

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

BEFORE

HON'BLE MR. JUSTICE SANJAY KUMAR MEDHI

Advocates for the petitioner : Shri K.N. Choudhury, Sr. Advocate
Assisted by Shri R.M. Deka, Advocate
Shri K.P. Pathak [in WP(C) 1460/2026].

Advocate for the respondents : Shri S.S. Roy, CGC
Shri N. Baruah, SC, IOCL
Ms. M.D. Borah, SC, Transport Department
Ms. B. Saha representing Shri J. Roy,
Sr. Advocate for M/S Tata Motors Ltd.

Date on which judgment is reserved : 19.08.2026

Date of pronouncement of judgment : 20.08.2026

Whether the pronouncement is of the operative part of the judgment? : NA

Whether the full judgment has been pronounced? : Yes

JUDGMENT & ORDER

The cause of action being similar in these writ petitions, the same are taken up for an analogous hearing and are disposed of by this common judgment and order. The grievance of the petitioners is in respect of orders dated 02.03.2026 issued by the IOCL authorities whereby the petitioners have been put on a holiday list.

2. As per the facts projected, the impugned action was preceded by show cause notices on the allegation of furnishing forged documents / false statements with regard to the work allotted to them for LPG Carriage. The said action was also the subject matter of challenge in a proceeding before this Court and certain directions were there for consideration of the case of the petitioners. Thereafter, the show cause notices were brought to a conclusion culminating in the impugned order dated 02.03.2026. Since there are four numbers of writ petitions, it would be convenient to give individual facts.

3. So far as WP(C)/1549/2026 is concerned, 14 numbers of trucks supplied by the petitioner has been alleged to have false documents. The details of the said trucks are as follows:

*AS25EC9899, AS25EC9883, AS25EC9831, AS25EC9810, AS25EC9747,
AS09AC5138, AS09AC5133, AS09AC5129, AS09AC4487, AS09AC4222,
AS09AC4210, AS09AC3844, AS09AC0908 & AS01KC1589*

4. So far as WP(C)/1572/2026 is concerned, such allegation is in respect of 18 numbers of trucks supplied, the details of which are as follows:

*AS27C6731, AS09C9263, AS09AC7629, AS09AC7627, AS09C7379, AS09AC5710,
AS09AC5708, AS09AC5610, AS09AC5325, AS09AC5324, AS09AC5267,*

AS09AC5266, AS09AC4116, AS09AC3724, AS09AC3701, AS09AC3699, AS09AC3698 & AS09AC3390

5. So far as WP(C)/1627/2026 is concerned, the allegation pertains to 16 numbers of trucks, the details of which are as follows:

AS25FC4854, AS25FC4438, AS25FC4437, AS25FC4436, AS25FC4435, AS25FC4054, AS25FC3206, AS25FC3203, AS25AC8348, AS13AC5134, AS13AC5132, AS09AC4771, AS09AC4226, AS09AC4215, AS09AC4123 & AR20D2677

6. So far as WP(C)/1460/2026 is concerned, two out of the vehicles supplied have been alleged to be having forged documents, the details of which are as follows:

AS09AC7149 and AS09AC4205

7. It is the case of the petitioners that pursuant to a tender process, the petitioners were allotted the work of LPG carriage through trucks. There was a requirement that the trucks have to be of a particular make (TATA) and it is the categorical case of the petitioners that they had fulfilled such requirement. Accordingly, the work orders were issued on 25.04.2024 which was for a period of 5 years. It is the specific case of the petitioners that there were no complaints with regard to their functioning in supplying the LPG. However, show cause notices were issued on 11.11.2025 on the principal ground that there was forgery and falsification in the documents pertaining to the vehicles as mentioned above. The specific contention is that though the vehicles were said to be made by TATA, on an internal enquiry made, the OEM (Original Equipment Manufacturer) had confirmed that such data were not available with them and on that basis, the show-cause notices were issued. As indicated above, there were earlier round of litigation challenging the show-cause notice and such

litigation was disposed of by this Court vide an order dated 24.11.2025. This Court had issued the following directions:

“11. Taking into account above, the instant writ petition therefore stands disposed of with the following observations and directions:

(i) The petitioner herein is given the liberty to submit the reply to the show cause notice dated 11.11.2025 within 10 (ten) days from the date of the present order i.e. on or before 08.12.2025.

(ii) The Respondent Authorities, if any show cause reply is submitted within the period as above mentioned, shall afford the petitioner an opportunity of hearing and thereupon shall decide the said show cause proceedings in accordance with law.”

8. The show cause notices were on three broad aspects. Firstly, there were suspension of the business and secondly, as to why the contract should not be terminated and the third aspect was on the blacklisting. It is the specific case of the petitioners that they had purchased second-hand vehicles (trucks) by making due diligence exercise. The verification was done from the VAHAN & Digilocker portals and all the particulars are available. The petitioners have demonstrated their due diligence by enclosing the screenshots from m-Parivahan portal wherein the maker of the vehicle was written to be TATA. The registration certificate has also been enclosed wherein the maker of the vehicle has been stated to be TATA. It is accordingly the case of the petitioners that when the petitioners after exercise of due diligence had supplied the vehicles with the maker as TATA, the allegation of submitting false or forged documents or giving false information will not arise.

9. I have heard Shri K.N. Choudhury, learned Senior Counsel assisted by Shri R.M. Deka, learned counsel for the petitioners appearing in WP(C)/1549/2026,

WP(C)/1572/2026, WP(C)/1627/2026 and Shri K.P. Pathak, learned counsel for the petitioner in WP(C)/1460/2026. I have also heard Shri S.S. Roy, learned CGC, Shri N. Baruah, learned Standing Counsel, IOCL, Ms. M.D. Borah, learned Standing Counsel, Transport Department and Ms. B. Saha, learned counsel representing Shri J. Roy, learned Senior Counsel for M/S Tata Motors Ltd.

10. Shri Choudhury, the learned Senior Counsel for the petitioners has submitted that there are specific directions from the Ministry of Road Transport and Highways to all the States that electronic form of documents pertaining to vehicles are to be treated at par. In this regard, he has relied upon communications dated 08.08.2018 and 17.12.2018 issued by the Ministry wherein the documents of vehicles in e-format are directed to be accepted. He has also drawn the attention of this Court to the Clause 3(vi) and 4.1 (i) of the communication dated 17.12.2018 which read as follows:

“3...

(vi) These electronic records available on DigiLocker or mParivahan are deemed to be legally recognised at par with the original documents as per the provisions of the Information Technology Act, 2000.

4.1

(i) The citizens can produce the documents or other information either through the DigiLocker app or the mParivahan app.”

11. He has also submitted that in the DigiLocker certificate procured by the petitioners, the maker of the vehicle was clearly written as Tata Motor. He has also submitted that before the vehicles were accepted, inspection was done by the respondent authorities and only after that, the work orders were issued. He has submitted that it clearly appears that the entire controversy has arisen due to some complaints by unsuccessful competitors. The learned Senior Counsel

has submitted that though the show-cause notices refers to a vigilance report, no copy of such report has been furnished to the petitioners.

12. It is submitted that two clauses of the tender document have been relied upon by the authorities, namely clause 7.2.2.10 of Transport Discipline Guidelines (TDG) and clause 82 (f) of the Tender Documents. He has submitted that the ingredients of the said clauses would not come into play and the impugned action dated 02.03.2026 is unsustainable in law. By drawing the attention of this Court to the impugned order, the learned Senior Counsel has submitted that though there is a finding that on internal verification, the OEM had replied that those trucks were not there in their internal records, there is no clear finding that the petitioners had indulged in fraud or falsification of documents. It is submitted that the petitioners are not party to any fraud and had purchased the vehicles *bona fide* and after due diligence exercise. Such purchase was made after a verification from the mParivahan and DigiLocker, which are the standard modes to be accepted as per guidelines of the Ministry of Road Transport and Highways. Under those facts and circumstances, he submits that the impugned action is unsustainable in law and is liable to be set aside.

13. Shri K.P. Pathak, the learned counsel for the petitioner in WP(C)/1460/2026 has endorsed the submissions advanced by the learned Senior Counsel, Shri K.N. Choudhury. He has submitted that the action taken against his client is not transparent and is also lacking *bona fide*. He has also submitted that the relevant factors have not been taken into consideration.

14. On the other hand, Shri Baruah, the learned Standing Counsel, IOCL, has justified the impugned order dated 02.03.2026. He has submitted that the

impugned order was preceded by a show cause notice, which however was the subject matter of challenge in previous writ petition. He has submitted that the writ petition was disposed of without interfering with the show cause notice and only with a direction to complete the proceeding, which was done in accordance with law. He has submitted that the maintenance of safety was of paramount importance, which would necessarily require that the vehicles conform to the maker which was required to be TATA. He has submitted that though the document submitted by the petitioners, the maker appeared to be TATA, on a complaint received, a verification exercise was done with the OEM whereafter it was revealed that the details of those trucks were not there in the internal records. He has submitted that the impugned action is taken in the public interest and is not required to be interfered with.

15. Ms. Bora, the learned Standing Counsel, Transport Department has submitted that instructions have been received which include an enquiry report and it reveals that the registration certificates of the vehicles conform to the assertion made that the vehicles were indeed of Tata.

16. The rival submissions advanced have been duly considered and the materials placed before this Court have been carefully perused.

17. The controversy has arisen apparently on certain complaints that some of the vehicles supplied by the petitioners were not conforming to the requirement of the supply. In other words, the dispute was with regard to the maker of the vehicle. While the petitioners contend that they had purchased the vehicles from previous owners after a due diligence exercise that the maker was TATA which was also confirmed from the official portal VAHAN and Digilocker, the respondent authorities had come to a finding that such fact may not be correct

as the OEM had confirmed that details of those trucks were not available in the internal records. While the respondent authorities may be right in insisting that the vehicles supplied have to conform to the requirement, this Court is of the view that levelling of the allegations against the petitioners of indulging in forgery and giving false information does not appear to be justified and proper, more particularly because of the fact that the documents and information given by the petitioners conform to the present standards as laid down by the Ministry of Road Transport and Highways in the communications dated 08.08.2018 and 17.12.2018. This Court has also taken into consideration the submissions advanced on behalf of the Transport Department that apparently there was no mismatch with the registration certificate issued by the Transport Department.

18. It appears that upon certain complaints, a verification was done with the vehicles and as argued by Shri Baruah, the learned counsel for the respondents, the chassis nos. in the vehicles were found to be mismatched. He has however submitted that no such exercise has been uniformly carried out for all the vehicles. While this Court will not find fault in carrying out such an exercise which was admittedly triggered by some complaint as the same appears to have been done in the public interest, equity would require that when the papers submitted by the petitioners are in order, only because of a confirmation by the OEM that there were no corresponding records available in their internal records, such a stern action cannot be taken against the petitioner. At the same time, this Court cannot be oblivious of the fact that there is a requirement and necessity of the respondent authorities to ensure that the vehicles supplying LPG which involves a great deal of risk are in proper condition and fit. At this stage, this Court has put a specific query to the learned counsel for the petitioners if they are in a position to replace the vehicles which are alleged to

have defective papers. The learned counsel for the petitioners have readily agreed to such a proposal.

19. In view of the aforesaid facts and circumstances, this Court holds that the impugned orders dated 02.03.2026 are unsustainable in law and is accordingly set aside. This Court is further of the opinion that interest of justice would be served if the petitioners are given an opportunity to replace the vehicles of which certain doubts have arisen. Accordingly, this Court directs the petitioners to replace the vehicles in question by proper vehicles conforming to the requirements as provided in the tender notice and the IOCL authorities are directed to induct such vehicles for the supply order after making due verification.

20. Let the vehicles, as indicated above, be supplied expeditiously and within a week from the date of such supply, the IOCL would complete the verification exercise and allow the petitioners to continue with their supply in terms of the original work order dated 25.04.2024.

21. The writ petitions accordingly stands allowed in the manner indicated above.

22. No order as to cost.

JUDGE

Comparing Assistant