

06.10.2026
Court No.25
D/L No.11
S. Gayen

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 29412 of 2026
M/s. Grewal Auto Service
Versus
Union of India & Ors.

Mr. Krishna Raj Thakker, Sr. Adv.
Mr. Shashwat nayak
Mr. Aayush Sharma

...for the Petitioner

Mr. Debapriya Gupta
Mr. Sujoy Paul

...for the Union of India

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

...for the Respondent Nos. 2 & 3

1. The petitioner has filed the present writ application challenging the impugned notice dated October 1, 2026 issued by the Territory Manger (Retail), Bharat Petroleum Corporation Ltd., Kolkata wherein the petitioner has been instructed to close and discontinue the operation of the establishments operating at the dealership premises, 1) ARB, 2) The Outlet, 3) Spinny Mini Park, and 4) Stoppage of vehicle entry and parking of Spinny Mini Park.
2. At the very outset, learned counsel appearing for the BPCL submits that in the impugned order dated October 1, 2026 "The Outlet" is advertently recorded. By the said order, the outlet will not be affected and the petitioner is entitled to carry out the business of petrol pump in the said premises.

3. Learned counsel appearing for the Union of India submits that the land belongs to the Port Trust Authority and the eviction proceeding has been initiated under the Public Premises Act and eviction order has been passed. As such, the petitioner is not entitled to continue with the business in the said premises.
4. Learned counsel for the petitioner as well as the BPCL submits that the eviction order passed by the Estate Officer has been stayed by the Coordinate Bench of this Court in the civil revisional application filed by the BPCL in CO 2180 of 2026 and the civil revisional application is pending.
5. In the present writ application the only challenge is the impugned communication dated October 1, 2026. Now the learned counsel for the BPCL has clarified the order dated October 1, 2026 will not affect the petitioner to continue the business of the petrol pump (the outlet). As regard the proceeding initiated by the Port Trust Authority, this Court has not gone into the merit of the matter because that is not the subject matter in the present writ application.
6. In view of the above, the order dated October 1, 2026 will not give any affect to the item No.2 with regard to the outlet and the petitioner is free to run of his business with regard to the outlet (running petrol pump business) in accordance with law.
7. Accordingly, WPA 29412 of 2026 is disposed of.

8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.
9. Urgent Photostat certified copy, if applied for, be given to the parties upon compliance with all formalities.

(Krishna Rao, J.)