

IN THE COURT OF THE CIVIL JUDGE, AT DIBRUGARH

Date: 19/10/2015

Misc. (Caveat) Case No. _____ of 2015

OIL INDIA LIMITED, a Govt. of India undertaking and a limited liability company incorporated under the Companies Act, carrying on the business of exploration and sale of Crude Oil and Natural Gas; having its Registered Office at Duliajan, P.O. & P.S. – Duliajan, in the District of Dibrugarh, Assam.

.....CAVEATOR

-Vs-

1. Sri Abhijit Dey, (Roll No.110040)
Borbari Railway Colony, Block No.20/D
P.O. – Dibrugarh, P.S. Dibrugarh
Dist – Dibrugarh

2. Deep Kr. Chetia, (Roll No.111576)
Khalihamari, K.C. Gogoi Path, Near BSNL Office
Dibrugarh
P.O. – Dibrugarh, P.S. Dibrugarh
Dist – Dibrugarh

3. Any one or some or all of the Unsuccessful Candidates
to the post of Unskilled Workmen, (Tradesman –I / Attendant – I)

..... OPPOSITE PARTIES

CAVEAT U/S 148A OF C.P.CODE

MOST RESPECTFULLY SHEWETH

1. That the Caveator Company is a Govt. of India undertaking and a limited liability company incorporated under the Companies Act, carrying on the business of exploration, production and sale of Crude Oil and Natural Gas; having its Registered Office at Duliajan, P.O. & P.S. – Duliajan, in the District of Dibrugarh, Assam.

2. That the Caveator Company begs to state that the company had invited applications for recruitment to the post of Unskilled Workmen, (Tradesman –I / Attendant – I) Grade – I vide its Vacancy Notification dated 12.8.2014; and published in various newspapers, i.e. The Assam Tribune, The Dainik Janambhumi & Aamar Asom on 12.8.2014.

As per the said Notifications, intending applicants who fulfilled the criteria mentioned in the above referred Notifications, were required to appear in a Screening (written) examination conducted by the Caveator Company; and only upon qualifying in the said written test would the successful candidates be called for an interview/ viva-voce. The Final selection would be based in order of merit on the basis of the marks obtained in the said interview/ viva-voce.

3. That the Caveator Company begs to state that as per the procedures of the Company; the Screening (written) examination was conducted on 03/05/2015 and the results of the same, with Roll Nos. of successful candidates, were declared vide Newspaper notifications in The Assam Tribune, The Dainik Janambhumi & Aamar Asom all dated 16.10.2015
4. That the Caveator Company begs to submit that against the aforesaid notification dated 12.8.2014; approx 26,000 candidates appeared for the written examination and out of the same around 2,939 candidates were successful in the said written test and their Roll Nos. published in newspapers as stated hereinbefore.,
5. That the Caveator Company apprehends that prospective petitioners, i.e. the Opposite Parties herein, in particular and the other unsuccessful candidates in general, who were not able to qualify in the Screening (written) examination; may file any petition in this Hon'ble Court against the Caveator Company for stalling the furtherance of the Selection process initiated by the Company and to obtain any ex-parte order.

In that event, the Caveator Company has right to appear before the Learned Court in such proceeding and the counsel for the Company may be heard before passing any order/ direction, otherwise irreparable loss and injury shall be caused to the Caveator Company.
6. That the Caveator begs to submit that the conduct of the recruitment process for the appointment of unskilled workers is a tremendously huge endeavour and is very long process requiring lot of man days and not to mention the effort and exercise involved in co-processing, coordinating and conducting examinations for around 26,000 candidates.
7. That if the Prospective Petitioners herein or any one or a number of other unsuccessful candidates, i.e. around 23,000 candidates, manage to get any ad interim ex parte order in respect of the above recruitment process; the workings and operational efficiency of the Caveator Company and in particular, production of oil by the Company,

may be threatened and the entire country shall suffer if the prospective petitioner succeeds in getting any such ex-parte order and the Caveator shall also suffer huge loss due to the length of time, complexity of process and the cost of money & manpower expended to reach at this stage of the recruitment process.

Moreover, injustice would also be caused to the **approx 2,900** other candidates who have participated and were successful in the said Screening (written) examination.

It is therefore, necessary that the Caveator be heard before any such ad-interim order is passed by the Hon'ble Court.

8. That this Caveat has been filed and in the interest of justice.

It is therefore prayed that the Hon'ble Court may for the ends of justice be pleased to direct the prospective petitioner to furnish a copy of the petition with all the documents and give notice to the Caveator under Section 148A(3) of C.P.C and also be pleased to hear the counsel for the Caveator at the time of passing any order/ direction in connection with the above referred Screening (written) examination pursuant to the Vacancy Notifications for employment to the post of Unskilled Workmen, (Tradesman –I / Attendant – I) Grade- I vide Notification 12.8.2014 and the result of the Written (screening) Examination declared vide News Paper Notification dated 16.10.2015 and or be pleased to pass any other order/ orders as the Hon'ble Court may deem fit and proper.

And for this act of kindness your Caveator in duty bound shall ever pray.

PARTICULARS

1.	Name of the Caveator:	<ol style="list-style-type: none">1. OIL INDIA LIMITED Duliajan, P.O. & P.S. Duliajan, District - Dibrugarh2. The Resident Chief Executive Oil India Limited, Duliajan, District: Dibrugarh, Assam3. The Head(ER) Oil India Limited, Duliajan, District: Dibrugarh, Assam
2.	Name and Address of the Prospective Petitioner	<ol style="list-style-type: none">1. Sri Abhijit Dey, (Roll No.110040) Borbari Railway Colony, Block No.20/D P.O. – Dibrugarh, P.S. Dibrugarh Dist – Dibrugarh2. Deep Kr. Chetia, (Roll No.111576) Khalihamari, K.C. Gogoi Path, Near BSNL Office Dibrugarh P.O. – Dibrugarh, P.S. Dibrugarh Dist – Dibrugarh3. AND Any Other Unsuccessful Candidates
3.	Order likely to be challenged	<ol style="list-style-type: none">1. Notifications for employment to the post of Unskilled Workmen, (Tradesman –I / Attendant – I) Grade- I; vide News Paper Notification dated 12.8.2014; and2. Written Examination held on 3.5.2015 & Result of the Written (screening) Examination declared vide News Paper Notification dated 16.10.2015
4.	Name and Address of the Advocate of the Caveator	Tirthankar Medhi, Pranjal Konwar, Nayan Mahanta Advocates, Steel & Hadow, Solicitors & Advocates, Dibrugarh, Assam

Drafted by:

(Tirthankar Medhi, Advocate)

Draft Settled by:

Sri S. Rahman, Sr. Advocate.

A F F I D A V I T

I, Sri Kaushik Ranjan Rajkhowa, son of Sri Khiren Rajkhowa, aged about 34 years, by religion Hindu, by occupation, Sr. Legal Officer, Oil India Ltd., Duliajan, resident of OIL Colony, P.O. & P.S. Duliajan, District Dibrugarh, Assam do hereby solemnly affirm and declare as follows :-

1. That I am the Sr. Legal Officer of the Caveator Company and hence I am conversant with the facts and circumstances of the matter.

This is True to my Knowledge.

2. That the statements made in Paragraphs 1, 2, 3 and 4 of the foregoing Caveat are true to my knowledge.

3. That the statements made in paragraphs 5, 6, 7 and 8 are submissions before the Court which I believe to be true.

Oath:- I swear that this my declaration is true, it conceals nothing and no part of it is false' so help me God

Identified by:

(Advocate)

D E P O N E N T