

GAHC010007782016



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

Case No. : MFA 15/2016

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER, N.F. RAILWAY, MALIGAON,
GUWAHATI-11

VERSUS

1:M/S JAIN BIJAY and CO. P LTD.
THAKURIA BUILDING, F.A. ROAD, KUMARPARA, GUWAHATI 781009

Advocate for the Petitioner : MR.D K DEY

Advocate for the Respondent : MR.A GOYAL

Linked Case : MFA 76/2014

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F RAILWAY
MALIGAON
GUWAHATI -11

VERSUS

1:M/S INDIAN OIL CORPORATION LIMITED
2
DR. BANI KANTA KAKOTI LANE
KACHARI BASTI
ULUBARI
GUWAHATI-7

ASSAM OIL DIVISION

Advocate for the Petitioner : MSB DEVI
Advocate for the Respondent : MR.K P MAHESWARI

Linked Case : MFA 30/2015

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI
DIST. KAMRUP
ASSAM.

VERSUS

1:M/S SHREE GOPAL ENTERPRISES
H.M. MARKET
FANCY BAZAR
GUWAHATI-1
ASSAM.

Advocate for the Petitioner : SC
NF RLY
Advocate for the Respondent : MR.K P MAHESWARI

Linked Case : MFA 34/2016

1:THE UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI-11
ASSAM.

VERSUS

1:M/S P.P. ENTERPRISES
H.B. ROAD
FENCY BAZAR
GUWAHATI-1
ASSAM.

Advocate for the Petitioner : SC
NF RLY
Advocate for the Respondent : MR.K P MAHESWARI

Linked Case : MFA 76/2011

1:THE UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAYS
MALIGAON
GUWAHATI-11
ASSAM.

VERSUS

1:M/S RAMESH AND CO.
H.M. MARKET
FANCY BAZAR
GUWAHATI-1
ASSAM.

Advocate for the Petitioner : SC
NF RLY
Advocate for the Respondent : MR.K P MAHESWARI

Linked Case : MFA 84/2015

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI-11

VERSUS

1:M/S INDIAN OIL CORPORATION LIMITEDAOD
ULUBARI
GUWAHATI-7
ASSAM.

Advocate for the Petitioner : MR.N K DAS
Advocate for the Respondent : MR.A GOYAL

Linked Case : MFA 15/2015

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI-11

VERSUS

1:M/S INDIAN OIL CORPORATION LIMITED AOD
2
DR. BANI K.K. LANE
ULUBARI
GUWAHATI-7
ASSAM.

Advocate for the Petitioner : MS.R R BORAH
Advocate for the Respondent : MR.K P MAHESWARI

Linked Case : MFA 85/2016

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI-11
ASSAM.

VERSUS

1:M/S INDIAN OIL CORPORATION LTD
ASSAM OIL DIVISION
DIGBOI-786171
ASSAM.

Advocate for the Petitioner : SC
NF RLY
Advocate for the Respondent : MS.M SHARMA

Linked Case : MFA 38/2011

1:UNION OF INDIA
REPRESENTED BY THE THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI
DIST. KAMRUP
ASSAM.

VERSUS

1:M/S JAIPRAKASH ASSOCIATES LTD.
161/2006 SHRIMANTA MARKET
A.T. ROAD
GUWAHATI-1

Advocate for the Petitioner : MRS.U CHAKRABORTY
Advocate for the Respondent : MR.K P MAHESWARI

Linked Case : MFA 89/2016

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON

GUWAHATI-781011

VERSUS

1:M/S INDIAN OIL CORPORATION LTD
IOCL AOD ZONAL OFFICE
DIGBOI.

Advocate for the Petitioner : MR.K C SARMA
Advocate for the Respondent : MR.K P MAHESWARI

Linked Case : MFA 114/2012

1:M/S GANGH and SONS
SHANTI BHAWAN
FANCY BAZAR
GUWAHATI
ASSAM
PIN 781001

VERSUS

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI
ASSAM
PIN 781011

Advocate for the Petitioner : MR.K P MAHESWARI
Advocate for the Respondent : MR.A K SARKAR

Linked Case : MFA 73/2016

1:THE UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY

MALIGAON
GUWAHATI-11
ASSAM

VERSUS

1:M/S JAIN BIJAY and CO. PVT LTD
THAKURIA BUILDING
3RD FLOOR
F.A. ROAD
KUMARPARA
GUWAHATI-9
ASSAM.

Advocate for the Petitioner : MR.U K GOSWAMI
Advocate for the Respondent : MS.M SHARMA

Linked Case : MFA 36/2014

1:M/S. INDIAN POTASH LTD.
G.S. ROAD
BHANGAGARH
GUWAHATI
ASSAM
PIN 781005

VERSUS

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F RAILWAY
MALIGAON
GUWAHATI
ASSAM
PIN 781011

Advocate for the Petitioner : MR.B MAHESHWARI
Advocate for the Respondent :

Linked Case : MFA 15/2011

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI
DIST. KAMRUP ASSAM

VERSUS

1:M/S NORTH EAST LODISED SALTP LTD.
BHADRAPALI
GANDHIJGRAM
TRIPURA

Advocate for the Petitioner : SC
NF RLY
Advocate for the Respondent :

Linked Case : MFA 16/2016

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI
DIST. KAMRUP M
ASSAM.

VERSUS

1:M/S P.P. ENTERPRISES
JAIL ROAD
FANCY BAZAR
GUWAHAI-1
DIST. KAMRUP M
ASSAM.

Advocate for the Petitioner : MS.U CHAKRABORTY
Advocate for the Respondent : MS.S SARMA

Linked Case : MFA 66/2017

1:THE UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI-11
ASSAM.

VERSUS

1:M/S JAIN and JAIN CO
THAKURIA BUILDING
2ND FLOOR
KUMARPARA
GUWAHATI-1
ASSAM.

Advocate for the Petitioner : MR.G GOSWAMI
Advocate for the Respondent :

Linked Case : MFA 118/2013

1:M/S. P.P. ENTERPRISE
12
KAYAL MARKET
FANCY BAZAR
GUWAHATI
ASSAM
PIN-781001.

VERSUS

1:UNION OF INDIA NF RLY
REP. BY THE GENERAL MANAGER
NF RAILWAY
MALIGAON

GUWAHATI
ASSAM
PIN-781011.

Advocate for the Petitioner : MR.A GOYAL
Advocate for the Respondent : MR.D K DEY

Linked Case : MFA 123/2011

1:UNION OF INDIA
REPRESENTED BY THE GENARAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI-11
ASSAM.

VERSUS

1:M/S MOTILAL and GOURI FOOD STORAGE PVT. LTD.

AGARTALA
TRIPURA

Advocate for the Petitioner : MS.R R BORAH
Advocate for the Respondent :

Linked Case : MFA 31/2016

1:THE UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI-11
ASSAM.

VERSUS

1:M/S AMBA INDUSTRIES

A UNIT OF AMBA BANIJYA PVT. LTD. AIR PORT ROAD
CHABOTI
NORTH LAKHIMPUR
ASSAM.

Advocate for the Petitioner : SC
NF RLY
Advocate for the Respondent : MR.A GOYAL

Linked Case : MFA 88/2016

1:UNION OF INDIA
RERPERESNTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI 781011

VERSUS

1:M/S INDIAN OIL CORPORATION LTD
IOCL AOD ZONAL OFFICE
DIGBOI

Advocate for the Petitioner : MR.K C SARMA
Advocate for the Respondent : MR.K P MAHESWARI

Linked Case : MFA 6/2013

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI-11
ASSAM.

VERSUS

1:M/S JAIN and JAIN CO

6-C
R.K. SARAWGI MARKET
FANCY BAZAR
GUWAHATI-1

Advocate for the Petitioner : MSB DEVI
Advocate for the Respondent : MR.K P MAHESWARI

Linked Case : MFA 76/2015

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI 11

VERSUS

1:M/S INDIAN OIL CORPORATION LIMITED AOD
2
DR. BANI KANTA KAKATI LANE
KACHARI BASTI
ULUBARI
GUWAHATI-7
ASSAM.

Advocate for the Petitioner : MR.N K DAS
Advocate for the Respondent : MR.A GOYAL

Linked Case : MFA 77/2012

1:UNION OF INDIA
REPRESENTED BY THE THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI
DIST. KAMRUP ASSAM

VERSUS

1:M/S P P ENTERPRISE
T.R.P. ROAD
FANCY BAZAR
GUWAHATI-1
ASSAM.

Advocate for the Petitioner : MRS.U CHAKRABORTY
Advocate for the Respondent : MR.B MAHESHWARI

Linked Case : MFA 90/2013

1:UNION OF INDIA

REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI-11

VERSUS

1:M/S SHREE MAHALAXMI MILLS

M.G. ROAD
FANCY BAZAR
GUWAHATI 781001
ASSAM.

Advocate for the Petitioner : MR.D K DEY
Advocate for the Respondent : MR.K P MAHESHWARI

Linked Case : MFA 33/2016

1:THE UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER N.F. RAILWAY
MALIGAON
GUWAHATI-11
ASSAM.

VERSUS

1:M/S AMBA INDUSTRIES
A UNIT OF AMBA BANIJYA PVT. LTD. AIR PORT ROAD
CHABOTI
NORTH LAKHIMPUR
ASSAM.

Advocate for the Petitioner : MR.S ISLAM
Advocate for the Respondent :

Linked Case : I.A. 875/2016

1:THE UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI-11
ASSAM.

VERSUS

1:M/S P.P. ENTERPRISES
H.B. ROAD
FANCY BAZAR
GUWAHATI-1
ASSAM.

Advocate for the Petitioner : SC
NF RLY
Advocate for the Respondent :

Linked Case : MFA 94/2016

1:UNION OF INDIA
REP. BY THE GENERAL MANAGER
N.F. RAILWAY

MALIGAON
GUWAHATI -11
ASSAM.

VERSUS

1:M/S INDIAN OIL CORPORATION LTD
ASSAM OIL DIVISION DIGBOI- 786171
ASSAM

Advocate for the Petitioner : SC
RAILWAY

Advocate for the Respondent : MR.K P MAHESWARI

Linked Case : MFA 7/2012

1:UNION OF INDIA

REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI-11
ASSAM.

VERSUS

1:M/S NORTH EAST IODISED SALT PVT. LTD.
BHADRAPALI
GANDHIGRAM
P.O. AGARTALA TRIPURA

Advocate for the Petitioner : MSB DEVI

Advocate for the Respondent : MR.A GOYAL

Linked Case : MFA 82/2016

1:UNION OF INDIA

REPRESENTED BY THE GENERAL MANAGER

N.F. RAILWAY
MALIGAON
GUWAHATI-11
ASSAM.

VERSUS

1:M/S INDIAN OIL CORPORATION LTD
ASSAM OIL DIVISION
DIGBOI-786171
ASSAM.

Advocate for the Petitioner : MR.U K GOSWAMI
Advocate for the Respondent : MS. M SHARMA

Linked Case : MFA 122/2011

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER N.F. RAILWAY
MALIGAON
GUWAHATI-11
ASSAM.

VERSUS

1:M/S JAIPRAKASH ASSOCIATES LIMITED

161/206 SHRIMANTA MARKET
A.T. ROAD GUWAHATI-1
ASSAM.

Advocate for the Petitioner : MR.N K DAS
Advocate for the Respondent : MR.B MAHESHWARI

Linked Case : MFA 70/2016

1:THE UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER

N.F. RAILWAY
MALIGAON GUWAHATI-11
ASSAM

VERSUS

1:M/S INDIAN OIL CORPORATION LTD AOD
ULUBARI GUWAHATI-7
ASSAM.

Advocate for the Petitioner : MR.U K GOSWAMI
Advocate for the Respondent : MR. K P MAHESWARI

Linked Case : MFA 65/2015

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI-11

VERSUS

1:M/S P.P. ENTERPRISE
FANCY BAZAR
GUWAHATI 781001
ASSAM.

Advocate for the Petitioner : SC
NF RLY
Advocate for the Respondent : MR.A GOYAL

Linked Case : MFA 2/2016

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON

ASSAM.

VERSUS

1:M/S AMBA INDUSTRIES
A UNIT OF AMBA BANIYA P LTD.
COLE ROAD
P.O. DIBRUGARH
ASSAM.

Advocate for the Petitioner : MR.N K DAS
Advocate for the Respondent : MS.M SHARMA

Linked Case : MFA 7/2013

1:M/S RAMESH and CO
H.M. MARKET
FANCY BAZAR GUWAHATI
ASSAM
PIN- 781001

VERSUS

1:UNION OF INDIA
REP.BY THE GENERAL MANAGER
N.F. RAILWAY MALIGAON
GUWAHATI
ASSAM
PIN- 781011

Advocate for the Petitioner : MR.B MAHESHWARI
Advocate for the Respondent : MR G GOSWAMI
RLY.ADV.

Linked Case : MFA 58/2015

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER

N.F. RAILWAY
MALIGAON
ASSAM.

VERSUS

1:M/S JAIN BIJAY and COMPANY P LTD
THAKURIA BUILDIG
F.A. ROAD
KUMARPARA
2ND FLOOR
P.O. GUWAHATI-9
ASSAM.

Advocate for the Petitioner : MSB DEVI
Advocate for the Respondent : MS.M SHARMA

Linked Case : MFA 61/2013

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI-11

VERSUS

1:M/S. DINESH SALES CORPORATION
SAXENA BILDING
IIND FLOOR
CHAMPAGURI ROAD
P.O. NORTH BONGAIGAON
ASSAM.

Advocate for the Petitioner : MR.D K DEY
Advocate for the Respondent : MR. A GOYAL

Linked Case : MFA 19/2012

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI-11
ASSAM.

VERSUS

1:M/S G.P. SALES CORPORATION
MAIN ROAD
P.O.BANDERDEWA
ARUNACHAL PRADESH.

Advocate for the Petitioner : MR.N K DAS
Advocate for the Respondent : MR.B MAHESHWARI

Linked Case : MFA 71/2016

1:THE UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI-11
ASSAM.

VERSUS

1:M/S INDIAN OIL CORPORATION LTD AOD
ULUBARI
GUWAHATI-7
ASSAM.

Advocate for the Petitioner : SC
NF RLY
Advocate for the Respondent : MS.M SHARMA

Linked Case : MFA 24/2015

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
ASSAM.

VERSUS

1:M/S JAIN and JAIN CO
6-C
R.K. SARAWAGI MARKET
FANCY BAZAR
GUWAHATI-1
ASSAM.

Advocate for the Petitioner : MS.R CHOUDHURY
Advocate for the Respondent : MS.M SHARMA

Linked Case : MFA 54/2016

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI
DIST. KAMRUP M
ASSAM.

VERSUS

1:M/S S.G. SALES AGENCY
H.M. MARKET
FANCY BAZAR
GUWAHATI-1
DIST. KAMRUP M
ASSAM.

Advocate for the Petitioner : MS.U CHAKRABORTY

Advocate for the Respondent : MR.K P MAHESWARI

Linked Case : MFA 106/2016

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI 781011

VERSUS

1:M/S INDIAN OIL CORPORATION LTD
IOCL AOD ZONAL OFFICE
DIGBOI

Advocate for the Petitioner : MS.M DAS
Advocate for the Respondent : MR.K P MAHESWARI

Linked Case : MFA 78/2013

1:MAHESWARI ENTERPRISES
FANCY BAZAR
R.K. SARAWGI MARKET GUWAHATI
ASSAM
PIN 781001

VERSUS

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI
ASSAM
PIN 781011

Advocate for the Petitioner : MR.K P MAHESWARI

Advocate for the Respondent : MR.A K SARKAR

Linked Case : MFA 36/2011

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER N.F. RAILWAY
MALIGAON
GUWAHATI-11
ASSAM.

VERSUS

1:M/S JOYPRAKASH ASSOCIATES LTD.

161/206 SHRIMANTA MARKET
A.T. ROAD
GUWAHATI-1
ASSAM.

Advocate for the Petitioner : MR.N K DAS
Advocate for the Respondent :

Linked Case : MFA 92/2016

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI 781011

VERSUS

1:M/S INDIAN OIL CORPORATION LTD
IOCL AOD ZONAL OFFICE
DIGBOI

Advocate for the Petitioner : MS.M DAS
Advocate for the Respondent : MS.M SHARMA

Linked Case : MFA 58/2012

1:UNION OF INDIA
REPRESENTED BY THE THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI
DIST. KAMRUP
ASSAM.

VERSUS

1:M/S. MOTILAL and GOURI FOOD STORAGE PVT. LTD.
RASIK KUNJA
OLD GUEST HOUSE ROAD
KHOSA BAGAN
AGARTALA
TRIPURA

Advocate for the Petitioner : SC
NF RLY

Advocate for the Respondent : MR.B MAHESHWARI

Linked Case : MFA 83/2016

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI-11
ASSAM.

VERSUS

1:M/S INDIAN OIL CORPORATION LTD
ASSAM OIL DIVISION
DIGBOI 786171
ASSAM.

Advocate for the Petitioner : SC
NF RLY
Advocate for the Respondent : MS. M SHARMA

Linked Case : MFA 287/2010

1:THE UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
NF RAILWAYS
MALIGAON
GUWAHATI-11
ASSAM.

VERSUS

1:M/S NORTH EAST IODISED SALTP LTD.
BHADRAPALLI GANDHIGRAM
TRIPURA.

Advocate for the Petitioner : MR.S SARMA
Advocate for the Respondent :

Linked Case : MFA 71/2017

1:UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI-11

VERSUS

1:M/S SUNRISE TRADERS
FANCY BAZAR
JAIL ROAD
GUWAHATI-1
ASSAM.

Advocate for the Petitioner : MR.D K DEY
Advocate for the Respondent : MR.A GOYAL

Linked Case : MFA 53/2013

1:UNION OF INDIA

REPRESENTED BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI-11

VERSUS

1:M/S S.M. ENTERPRISE

M.G ROAD
FANCY BAZAR
GUWAHATI 781001
ASSAM.

Advocate for the Petitioner : MR.D K DEY
Advocate for the Respondent : MR.A GOYAL

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 29-11-2018

MR. B. Sarma and Mr. G. Goswami, learned Standing Counsel, N.F. Railway, appearing in this batch of appeals submit that due to some personal difficulty, they are unable to conduct the hearing of these cases today. As such, with the consent of the learned counsel for the other side, a prayer for adjournment of the hearing of these cases for four weeks has been made.

Since the prayer is not opposed and considering the ground on which the prayer has been made, the same stand allowed.

List the appeals for hearing again after four weeks.

JUDGE

Sukhamay

Comparing Assistant