

GAHC010028852025



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

Case No. : WP(C)/792/2025

NUMALIGARH REFINERY LIMITED
A COMPANY INCORPORATED IN INDIA AND HAVING ITS REGISTERED
OFFICE AT 122A, G.S. ROAD, CHRISTIAN BASTI, GUWAHATI- 781005,
ASSAM AND IS REPRESENTED BY SRI KAJAL SAIKIA, SON OF LATE
MADHU SAIKIA, RESIDENT OF QUARTER NO. D-22, NUMALIGARH
REFINERY TOWNSHIP, P.O. KANAIGHAT, DISTRICT- GOLAGHAT, ASSAM.

VERSUS

THE STATE OF ASSAM AND 2 ORS.
REPRESENTED BY THE JOINT SECRETARY TO THE GOVERNMENT OF
ASSAM, REVENUE AND D.M.(LR) DEPARTMENT, ASSAM, SECRETARIAT
(CIVIL), DISPUR, GUWAHATI- 781006, ASSAM.

2: THE COLLECTOR CUM DEPUTY COMMISSIONER
GOLAGHAT
P.O. AND P.S. GOLAGHAT
DISTRICT- GOLAGHAT
ASSAM.

3: MOUCHAK AGRO LLP
A LIMITED LIABILITY PARTNERSHIP
HAVING ITS REGISTERED OFFICE AT MANIDUIP BUILDING
JPR ROAD
P.O. AND P.S. JORHAT
DISTRICT JORHAT
ASSAM
AND IS REPRESENTED BY SRI SANJAY KUMAR BHOOPAL
S/O SRI SANT KUMAR BHOOPAL
RESIDENT OF MANIDUIP BUILDING
JPR ROAD
P.O. AND P.S. JORHAT

DISTRICT JORHAT
ASSAM
ERSTWHILE
MOUCHAK AGRO PRIVATE LIMITED
WHICH WAS A REGISTERED COMPANY UNDER THE COMPANIES ACT

Advocate for the Petitioner : MR. A K SAHEWALLA, MR P GOGOI, MR D GOSWAMI

Advocate for the Respondent : GA, ASSAM, SC, REVENUE, FOR CAVEATOR, MR H K SARMA, MR D SENAPATI

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

20.02.2025

Heard Mr. K.N. Choudhury, learned Senior Counsel assisted by Mr. A.K. Sahewalla, learned counsel for the petitioner; and Mr. D. Senapati, learned counsel who has entered appearance on behalf of the respondent no. 3 on the strength of caveat. Also heard Ms. P.R. Mahanta, learned Standing Counsel, Revenue & Disaster Management Department for the respondent no. 1; and Mr. H. Sarma, learned Additional Senior Government Advocate, Assam for the respondent no. 2.

2. The petitioner has assailed an Order dated 16.09.2022 passed by the LARR Authority, Jorhat in Misc. Case no. 01 of 2022 whereby the LARR Authority has allowed an application submitted by the respondent no. 3 for reference.

3. A number of contentions have been raised to assail the Order dated 16.09.2022, which can be gone into in detail, at the stage of hearing.

4. Let notice be issued. All the parties have entered appearance. As agreed to and consented by the learned counsel for the parties, the notice is made returnable on 04.03.2025.

5. As all the respondents have entered appearance through their engaged counsel and accepted notices through the learned counsel, issuance of formal notices to the respondents stands dispensed with. Mr. Sahewalla, learned counsel for the petitioner shall furnish a copy of the writ petition along with annexures each to the respective learned counsel for the respondents by tomorrow.

6. Mr. Senapati, learned counsel for the respondent no. 3/caveator has submitted that he will file response on behalf of the respondent no. 3 on or before 04.03.2025, if so advised.

7. List the case on 04.03.2025.

8. An endeavour will be made to give final consideration to the writ petition on 04.03.2025. In the event final consideration could not be given to the writ petition, the petitioner would be at liberty to make submission on the interim prayer.

JUDGE

Comparing Assistant