

GAHC010035962026



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

Case No. : I.A.(Civil)/539/2026

M/S JK TRADE AND COMMERCE
A PARTNERSHIP FIRM CONCERN, REGISTERED CLASS I A CONTRACTOR
HAVING ITS OFFICE AT SILVER SQUARE BUILDING, 4TH FLOOR, OPP
AAYAKAR BHAWAN, GS ROAD, CHRISTAN BASTI, GUWAHATI 781005, DIST
KAMRUP M, ASSAM, REPRESENTED BY ONE OF ITS PARTNERS SRI AMIT
KUMAR BAGARIA, SO LATE KAILASH NATH BAGARIA, RO SREE NAGAR,
PO AND PS DISPUR, GUWAHATI ASSAM 781006

VERSUS

THE STATE OF ASSAM AND ORS
REPRESENTED BY ITS COMMISSSION AND SECRETARY TO THE GOVT OF
ASSAM, AGRICULTURE AND HORTICULTURE DEPARTMENT, JANATA
BHAWAN, DISPUR, GUWAHATI, ASSAM 781005

2:THE DIRECTOR OF AGRICULTURE
KHANAPARA
GUWAHATI
ASSAM 781022

3:THE CHIEF EXECUTIVE OFFICER
ASSAM STATE AGRICULTURE MARKETING BOARD
RK MISSION ROAD
ULUBARI
GUWAHATI
ASSAM 781007

4:THE JOINT CHIEF EXECUTIVE OFFICER (TECH)
ASSAM STATE AGRICULTURE MARKETING BOARD
RK MISSION ROAD
ULUBARI
GUWAHATI
ASSAM 781007

5:THE EXECUTIVE ENGINEER
ASSAM STATE AGRICULTURE MARKETING BOARD
RK MISSION ROAD
ULUBARI
GUWAHATI
ASSAM 781007

6:THE AGRICULTURAL AND PROCESSED FOOD PRODUCTS EXPORT
DEVELOPMENT AUTHORITY (APEDA)
REPRESENTED BY ITS SECRETARY
HEAD OFFICE AT NCUI BUILDING
3
SIRI INSTITUTIONAL AREA
AUGUST KRANTI MARG
NEW DELHI 110016
REGIONAL OFFICE AT HOUSEFED COMPLEX
WEST END BLOCK BUILDING
4TH FLOOR
BELTOLA BASISTHA ROAD
DISPUR
GUWAHATI
PIN 78100

Advocate for the Petitioner : MR. J ABBAS, MR S ABDULLAH

Advocate for the Respondent : SC, AGRI. DEPARTMENT, MR. N J GOGOI, SC, AGRICULTURE
MARKETING BOARD.

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 25.02.2026

Heard Mr. J. Abbas, learned counsel for the applicant; Ms. B. Chetri, learned counsel appearing on behalf of Ms. G. Bora, learned Standing Counsel, Agriculture Department for the opposite party nos. 1 & 2; and Mr. N.J. Gogoi, learned Standing Counsel, Assam State Agriculture Marketing Board [ASAMB] for the opposite party nos. 3 – 5.

2. The applicant as the writ petitioner has preferred the accompanying writ petition, W.P. [C] no. 5168/2024 with a prayer for a direction to the respondent authorities make payment of an amount of Rs. 27,93,173/- on the ground that the said amount has remained

outstanding despite execution of a contract-work by the petitioners for them.

3. The instant interlocutory application is preferred by the applicant-writ petitioner seeking impleadment of the following authority :

The Agricultural and Processed Food Products Export Development Authority [APEDA], Represented herein by its Secretary, having its Head Office at NCUI Building, 3 Siri Institutional Area, August Kranti Marg, New Delhi – 110016. Having its regional office at Housefed Complex, West End Block Building, 4th Floor, Beltola-Basistha Road, Dispur, Guwahati, Pin – 781006, Assam.

- as party-respondent no. 6 in the accompanying writ petition.

4. It is averred that the work order dated 14.08.2014 issued by the ASAMB for execution of the concerned contract-work was issued under the Common Infrastructure Development Scheme of the proposed party-respondent no. 6 and in such view of the matter, the presence of the proposed party-respondent no. 6 is necessary for adjudication of the issues involved in the accompanying writ petition.

5. The above submission is endorsed by the learned counsel for the opposite parties.

6. In view of such projection made in the afore-stated manner, this Court is of the considered view that the proposed party-respondent no. 6 is a necessary party for adjudication of the issues involved in the accompanying writ petition. Accordingly, the instant interlocutory application is allowed.

JUDGE

Comparing Assistant