

GAHC010025032023



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

Case No. : WA/255/2023

THE UNION OF INDIA AND 2 ORS
REP. BY THE GENERAL MANAGER, N.F. RAILWAY, MALIGAON,
GUWAHATI- 781011.

2: THE CHIEF ENGINEER/CON-3

N.F. RAILWAY
MALIGAON
GUWAHATI-781011.

3: THE FINANCIAL ADVISOR AND CHIEF ACCOUNTS OFFICER

N.F. RAILWAY
MALIGAON
GUWAHATI-781011

VERSUS

M/S BN INFRAPROJECTS LLP AND 4 ORS B
A LTD. LIABILITY PARTNERSHIP FIRM HAVING ITS REGD. OFFICE AT
AMBAGAN ROAD, BYE LANE, NEAR MADHUBAN FACTORY, TEZPUR-
784001, DIST. SONITPUR, ASSAM AND REP. BY ITS DESIGNATED PARTNER
SRI BABUL NATH, S/O. SRI MANORANJAN NATH, R/O. VILL. POLICE LINE,
TEZPUR, SONITPUR- 784001.

2: BABUL NATH
S/O. SHRI MANORANJAN NATH
VILL. POLICE LINE
TEZPUR
SONITPUR-784001
ASSAM.

3: SHARMISTHA NATH
D/O. ROMEN DEV NATH

R/O. TEZPUR TOWN
WARD NO.12
SONITPUR.

4:PRANAB NATH
S/O. MANORANJAN NATH
VILL. EX-POLICE LINE
TEZPUR-784001
SONITPUR
ASSAM.

5:M/S M.K. PUSPHAS SHIVAM (JV)

M.K. ENGINEERING
WEST MALIGAON
GUWAHATI- 781011
ASSAM

Advocate for the Petitioner : MR H GUPTA

Advocate for the Respondent : MR. M BISWAS (R-1 TO 4)

Linked Case : WA/383/2023

THE UNION OF INDIA AND 2 ORS
REP. BY THE GENERAL MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI-781011.

2: THE CHIEF ENGINEER/CON-3

N.F. RAILWAY
MALIGAON
GUWAHATI-781011.

3: THE FINANCIAL ADVISOR AND CHIEF ACCOUNTS OFFICER

N.F. RAILWAY
MALIGAON
GUWAHATI-781011.
VERSUS

M/S BN INFRAPROJECTS LLP AND 4 ORS A
A LTD. LIABILITY PARTNERSHIP FIRM HAVING ITS REGD. OFFICE AT
AMBAGAN ROAD
BYE LANE
NEAR MADHUBAN FACTORY
TEZPUR-784001
DIST. SONITPUR
ASSAM AND REP. BY ITS DESIGNATED PARTNER SRI BABUL NATH
S/O. SRI MANORANJAN NATH
R/O. VILL. POLICE LINE
TEZPUR
SONITPUR
-784001.

2: BABUL NATH
S/O. SHRI MANORANJAN NATH
VILL. POLICE LINE
TEZPUR
SONITPUR-784001
ASSAM.

3: SHARMISTHA NATH
D/O. ROMEN DEV NATH
R/O. TEZPUR TOWN
WARD NO.12
SONITPUR.

4: PRANAB NATH
S/O. MANORANJAN NATH
VILL. EX-POLICE LINE
TEZPUR-784001
SONITPUR
ASSAM.

5: M/S M.K GUPTA AND COMPANY
REP. BY AUTHORISED SIGNATORY MR. M K GUPTA
CARE OF M.K. GUPTA AND CO.
SEWAK ROAD
SILIGURI
WEST BANGAL
PIN-734001.

Advocate for : MR H GUPTA
Advocate for : MR. M BISWAS appearing for M/S BN INFRAPROJECTS LLP AND
4 ORS A

Linked Case : WA/385/2023

UNION OF INDIA AND ORS

GENERAL MANAGER NF RAILWAY MALIGAON GUWAHATI PIN 781011

VERSUS

M/S BN INFRAPROJECTS LLP AND 3 ORS
LIMITED LIABILITY PARTNERSHIP FIRM HAVING ITS REGISTERED OFFICE
AT AMBAGAN ROAD
BYE LANE
NEAR MADHUBAN FACTORY
TEZPUR-784001 IN THE DISTRICT OF SONITPUR
ASSAM AND REPRESENTED BY ITS DESIGNATED PARTNER SHRI BABUL
NATH
S/O SRI SHRI MANORANJAN NATH
R/O VILL- POLICE LINE
TEZPUR
SONITPUR-784001.

Advocate for : MR H GUPTA
Advocate for : MR. M BISWAS appearing for M/S BN INFRAPROJECTS LLP AND
3 ORS

BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 01/03/2024
Vijay Bishnoi, CJ

Heard Mr. H. Gupta, learned CGC, appearing for the appellants in this batch of Writ Appeals. We have also heard Mr. S. Biswas, learned counsel appearing for the respondents.

Having heard the learned counsel for the parties and after going through the impugned judgement passed by the learned Single Judge, we are of the view that the matters require consideration.

Hence, admit.

No need to issue notice to the parties as they are already represented through their counsel.

However, the direction given by the learned Single Judge to redo the exercise of evaluation of bid capacity of the writ petitioner no. 1 and to hand over the work of the remaining part to the petitioner no. 1 if the price quoted by the petitioner no.1 is found to be lesser in the impugned judgement dated 03/02/2023, shall remain stayed.

List these matters for hearing in the month of August, 2024.

JUDGE

CHIEF JUSTICE

sukhamay

Comparing Assistant