

GAHC010189102024



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

**Case No. : I.A.(Civil)/2830/2024**

M/S. BHARTIA INFRA PROJECTS LTD.  
A COMPANY INCORPORATED UNDER THE COMPANIES ACT, 1956, HAVING  
ITS REGD. OFFICE 201, ROYAL ARCADE, DR. B BARUAH ROAD, ULUBARI,  
GUWAHATI-781007, ASSAM.

VERSUS

THE UNION OF INDIA AND ANR  
REPRESENTED BY THE GENERAL MANAGER, N.F RAILWAY, MALIGAON,  
GUWAHATI-781011

2:THE CHIEF ENGINEER  
N.F. RAILWAY  
MALIGAON  
GUWAHATI-78101

**Advocate for the Petitioner** : MR. R HUSSAIN, MS P SEN,MR A A AHMED

**Advocate for the Respondent** : SC, RAILWAY,

Linked Case : Arb.P./18/2019

M/S. BHARTIA INFRA PROJECTS LTD.  
(FORMERLY KNOWN AS BHARATIA ASSOCIATES PVT. LTD.) UNDER THE  
COMPANIES ACT  
1956  
HAVING ITS REGD. OFFICE 201 ROYAL ARCADE  
DR. B BARUAH ROAD

ULUBARI  
GUWAHATI  
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REP. BY THE GENERAL MANAGER  
N. F. RAILWAY  
MALIGAON  
GUWAHATI-781011.

2:THE CHIEF ENGINEER

N. F. RAILWAY  
MALIGAON  
GUWAHATI-781011.

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Advocate for : MR. R HUSSAIN  
Advocate for : SC  
NF RLY appearing for UNION OF INDIA AND ANR.

**BEFORE**  
**HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

**ORDER**

**20.09.2024**

Heard learned counsel for the parties.

Both the counsel at the bar have submitted that the Central Organisation for Railway Electrification Vs. ECI-SPIC-SMO-SCML (JV), A Joint Venture Company Judgment rendered by the Apex Court reported in (2020) 14 SCC 712 has been referred to the Larger Bench for reconsideration in view of the contrary view adopted in the said Judgment and in view of the two earlier Judgments of the Apex Court namely Perkins Eastman Architects DPC Vs HSCC (India) Ltd and TRF Ltd. Vs. Energo Engg. Projects Ltd.

The learned counsels at the bar submit that the status of the matter is not

known and they would like to apprise this Court immediately after re-opening of the Court after the Autumn Recess.

Accordingly, matters stand deferred and listed again on 28.10.2024.

**JUDGE**

**Comparing Assistant**