

GAHC010117422025



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

**Case No. : WP(C)/3059/2025**

BARAK VALLEY CEMENTS LTD.  
HAVING ITS WORKS AND REGISTERED OFFICE AT DEBENDRA NAGAR,  
JHOOM BASTI, BADARPUR GHAT-788803, DIST. SRIBHUMI, ASSAM,  
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER SRI MUKESH  
AGARWAL, S/O- LATE BANWARILAL AGARWAL, R/O- BADARPUR GHAT-  
788803, DIST. SRIBHUMI, ASSAM

VERSUS

THE UNION OF INDIA AND 4 ORS  
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA,  
MINISTRY OF COMMERCE AND INDUSTRIES (DEPARTMENT OF  
INDUSTRIAL POLICY AND PROMOTION(, DBA II/NER SECTION, UDYOG  
BHAWAN, NEW DELHI-110011.

2:THE STATE OF ASSAM  
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM  
DEPARTMENT OF INDUSTRIES AND COMMERCE  
DISPUR  
GUWAHATI-781006  
ASSAM

3:THE COMMISSIONER OF INDUSTRIES AND COMMERCE  
ASSAM  
UDYOG BHAWAN  
BAMUNIMAIDAM  
GUWAHATI-781021  
ASSAM

4:THE GENERAL MANAGER  
DISTRICT INDUSTRIES AND COMMERCECENTRE  
KARIMGANJ

LONGAI ROAD  
SRIBHUMI-788710  
ASSAM

5:NORTH EASTERN DEVELOPMENT FINANCE CORPORATION LTD.  
(NEDFI)

REPRESENTED BY THE ASSISTANT GENERAL MANAGER (B.D.)  
NEDFI HOUSE  
G.S. ROAD  
DISPUR  
GUWAHATI-7841006  
ASSA

**Advocate for the Petitioner** : DR B P TODI, DR ANKIT TODI,MS. T P THANCHUNG

**Advocate for the Respondent** : DY.S.G.I., MR. S K MEDHI (R-1),MR G DAS(R-5),MR. N ISLAM (R-5),SC, INDUSTRIES AND COMMERCE

Linked Case : WP(C)/3108/2025

BARAK VALLEY CEMENTS LTD  
HAVING ITS WORKS AND REGISTERED OFFICE AT DEBENDRA NAGAR  
JHOOM BASTI  
BADARPUR GHAT-788803  
DIST- SRIBHUMI  
ASSAM  
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER  
SRI MUKESH AGARWAL  
R/O BADARPURGHAT-788803  
DIST- SRIBHUMI  
ASSAM

VERSUS

THE UNION OF INDIA AND 4 ORS.  
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA  
MINISTRY OF COMMERCE AND INDUSTRIES (DEPARTMENT OF  
INDUSTRIAL POLICY AND PROMOTION)  
DBA II/ER SECTION  
UDYOG BHAWAN  
NEW DELHI-110011

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4:THE GENERAL MANAGER  
DISTRICT INDUSTRIES AND COMMERCE CENTRE  
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LONGAI ROAD  
SRIBHUMI-788710  
ASSAM

5:NORTH EASTERN DEVELOPMENT FINANCE CORPORATION LTD. (NEDFI)  
REPRESENTED BY THE ASSISTANT GENERAL MANAGER (B.D.)  
NEDFI HOUSE  
G.S. ROAD  
DISPUR  
GUWAHATI-781006  
ASSAM

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Advocate for : DR B P TODI  
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 4 ORS.

Linked Case : WP(C)/3054/2025

BARAK VALLEY CEMENTS LTD  
HAVING ITS WORKS AND REGISTERED OFFICE AT DEBENDRA NAGAR  
JHOOM BASTI  
BADARPUR GHAT-788803

DIST.- SRIBHUMI  
ASSAM.  
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER  
SRI MUKESH AGARWAL  
AGED ABOUT 55 YEARS  
S/O- LATE BANWARILAL AGARWAL

R/O- BADARPUR GHAT-788803  
DIST.- SRIBHUMI  
ASSAM.

VERSUS

THE UNION OF INDIA AND ORS  
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA  
MINISTRY OF COMMERCE AND INDUSTRIES  
(DEPARTMENT OF INDUSTRIAL POLICY AND PROMOTION)  
DBA II/NER SECTION  
UDYOG BHAWAN  
NEW DELHI-110011.

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UDYOG BHAWAN  
BAMUNIMAIDAN  
GUWAHATI-781021  
ASSAM.

4:THE GENERAL MANAGER  
DISTRICT INDUSTRIES AND COMMERCE CENTRE  
KARIMGANJ.  
LONGAI ROAD  
SRIBHUMI. PIN-788710  
ASSAM.

5:NORTH EASTERN DEVELOPMENT FINANCE CORPORATION LTD.(NEDFI)  
REPRESENTED BY THE ASSISTANT GENERAL MANAGER (B.D) NEDFI  
HOUSE  
G.S. ROAD  
DISPUR  
GUWAHATI-781006  
ASSAM.

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Advocate for : DR ANKIT TODI  
Advocate for : D.Y.S.G.I. appearing for THE UNION OF INDIA AND ORS

Linked Case : WP(C)/3113/2025

BARAK VALLEY CEMENTS LTD  
HAVING ITS WORKS AND REGISTERED OFFICE AT DEBENDRA NAGAR  
JHOOM BASTI  
BADARPUR GHAT-788803  
DIST- SRIBHUMI  
ASSAM  
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER  
SRI MUKESH AGARWAL  
S/O LATE BANWARILAL AGARWAL  
R/O BADARPUR GHAT-788803  
DIST- SRIBHUMI  
ASSAM

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INDUSTRIAL POLICY AND PROMOTION)  
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G.S. ROAD  
DISPUR  
GUWAHATI-781006  
ASSAM

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Advocate for : DR B P TODI  
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 4 ORS.

Linked Case : WP(C)/3058/2025

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HAVING ITS WORKS AND REGISTERED OFFICE AT DEBENDRA NAGAR  
JHOOM BASTI  
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MINISTRY OF COMMERCE AND INDUSTRIES  
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Advocate for : DR ANKIT TODI  
Advocate for : D.Y.S.G.I. appearing for THE UNION OF INDIA AND ORS

**BEFORE  
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

**ORDER**

**20.02.2026**

Mr. B.P. Todi, learned counsel for the petitioner; Mr. S.K. Medhi, learned Central Government Counsel [CGC] for the respondent Union of India; Mr. B. Gogoi, learned Additional Advocate General, Assam for the respondent Industries & Commerce Department; and Mr. G. Das, learned counsel for the respondent NEDFI.

The counter affidavits on behalf of the respondent Union of India and the respondent NEDFI are already on record.

Mr. Gogoi, Additional Advocate General, Assam appearing for the respondent Industries & Commerce Department has submitted that he has received the necessary instructions to file the counter affidavit and has, thus, sought for 3 [three] weeks' time to file the counter

affidavit.

As sought for and agreed to by the learned counsel for the parties, list the cases on 30.03.2026.

**JUDGE**

**Comparing Assistant**