

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
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ASSAM
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER
SRI MUKESH AGARWAL
R/O BADARPURGHAT-788803
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ASSAM

VERSUS

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INDUSTRIAL POLICY AND PROMOTION)
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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

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
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VERSUS

THE UNION OF INDIA AND ORS
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MINISTRY OF COMMERCE AND INDUSTRIES
(DEPARTMENT OF INDUSTRIAL POLICY AND PROMOTION)
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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.

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

Linked Case : WP(C)/3113/2025

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S/O LATE BANWARILAL AGARWAL
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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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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

Date : 30.03.2026

Dr. A. Todi, learned counsel for the petitioner and Ms. R. Dutta, learned counsel appearing on behalf of Mr. S.K. Medhi, learned Central Government Counsel for the respondent no. 1, Union of India are present.

Mr. B. Gogoi, learned Additional Advocate General, Assam for the State respondents has submitted that the counter affidavit on behalf of the respondent Industries and Commerce Department would be filed on or before 08.04.2026 and he has, therefore, sought for listing of the cases immediately after the ensuing vacation.

As sought for and as agreed to by the learned counsel for the parties, list the cases on 08.05.2026 with the affidavit of the respondent Industries and Commerce Department, if filed, on record.

If the petitioner wants to file any reply to the said affidavit, the same can be filed before the next date of listing.

JUDGE

Comparing Assistant