

GAHC010144512020



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

Case No. : Arb.P./38/2020

NAYAK INFRASTRUCTURE PVT. LTD.
A COMPANY REGD. UNDER THE COMPANIES ACT, 1956 AND HAVING ITS
REGD. OFFICE AT SWARUPNANDA ROAD, LUMDING- 782447, P.O.
LUMDING, DIST.- NAGAON AND ITS PRINCIPAL OFFICE AT 2ND FLOOR,
KAMAKHYA COMMERCIAL, C.K.ROAD, PAN BAZAR, GHY-01 AND IS REP.
BY ITS MANAGING DIRECTOR, SHRI ANANTA CHARAN NAYAK, R/O-
SWARUPA NANDA ROAD, LUMDING, IN THE DIST. OF NAGAON, ASSAM

VERSUS

NORTH EAST FRONTIER RAILWAY AND ANR.
(CONSTRUCTION ORGANISATION) REP. BY THE GENERAL
MANAGER/CONSTRUCTION, MALIGAON, GHY-11, KAMRUP (M), ASSAM

2:CHIEF ENGINEER/CONSTRUCTION-2
NORTH EAST FRONTIER RAILWAY (CONSTRUCTION ORGANISATION)
REP. BY THE GENERAL MANAGER/CONSTRUCTION
MALIGAON
GHY-11
KAMRUP (M)
ASSA

Advocate for the Petitioner : MR G N SAHEWALLA

Advocate for the Respondent : SC, RAILWAY

BEFORE
HON'BLE MR. JUSTICE N. KOTISWAR SINGH

ORDER

30.11.2022

Learned counsel for the appearing parties submit that it will be appropriate to await for the decision of the Larger Bench of the Hon'ble Supreme Court in respect of the decision rendered by the Supreme Court in ***Central Organisation for Railway Electrification Vs. ECI-SPIC-SMO-MCML(JV) A Joint Venture Company*** reported in ***(2020)14 SCC 712***, which has been questioned by another coordinate bench of the Hon'ble Supreme Court.

Let this matter be listed after the decision of the Larger Bench of the Hon'ble Supreme Court.

Sd/- N. Kotiswar Singh
JUDGE

Comparing Assistant