

GAHC010136292020



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

Case No. : Arb.P./32/2020

NAYAK INFRASTRUCTURE PVT. LTD.
A COMPANY REGISTERED UNDER THE COMPANIES ACT, 1956 AND
HAVING ITS REGISTERED 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, GUWAHATI-
781001 AND IS REPRESENTED BY ITS LIQUIDATOR, SUDHA SARMA, W/O
SHANTANU KUMAR SARMA, RESIDENT OF SUDHA AND ASSOCIATES, 185,
MRD ROAD, NEAR SBI BAMUNIMAIDAM, GUWAHATI-781021.

VERSUS

NORTH EAST FRONTIER RAILWAY AND ANR.
(CONSTRUCTION ORGANISATION) REP. BY THE GENERAL
MANAGER/CONSTRUCTION, MALIGAON, GUWAHATI-781011, KAMRUP
(M), ASSAM.

2:CHIEF ENGINEER/CONSTRUCTION-2

NORTH EAST FRONTIER RAILWAY (CONSTRUCTION ORGANISATION)
REP. BY THE GENERAL MANAGER/CONSTRUCTION
MALIGAON
GUWAHATI-781011
KAMRUP (M)
ASSAM

Advocate for the Petitioner : MR G N SAHEWALLA, MR. U K NAIR,MR. U K NAIR,MR S
DAS,MR R SINGHA,MR D SENAPATI,MR. M SAHEWALLA,MR H K SARMA

Advocate for the Respondent : SC, RAILWAY, MR. B K DAS

Linked Case : Arb.P./38/2020

NAYAK INFRASTRUCTURE PVT. LTD.
A COMPANY REGISTERED UNDER THE COMPANIES ACT
1956 AND HAVING ITS REGISTERED 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
GUWAHATI-781001 AND IS REPRESENTED BY ITS LIQUIDATOR
SUDHA SARMA
W/O SHANTANU KUMAR SARMA
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GHY-11
KAMRUP (M)
ASSAM

Advocate for : MR G N SAHEWALLA
Advocate for : SC
RAILWAY appearing for NORTH EAST FRONTIER RAILWAY AND ANR.

Linked Case : Arb.P./33/2020

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Advocate for : MR G N SAHEWALLA
Advocate for : SC
RAILWAY appearing for NORTH EAST FRONTIER RAILWAY AND ANR.

Linked Case : Arb.P./40/2020

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NORTH EAST FRONTIER RAILWAY (CONSTRUCTION ORGANISATION) REP.
BY THE GENERAL MANAGER/CONSTRUCTION
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GUWAHATI-781011
KAMRUP (M)
ASSAM.

Advocate for : MR G N SAHEWALLA

Advocate for : SC

RAILWAY appearing for NORTH EAST FRONTIER RAILWAY (CONS
ORGANISATION) AND ANR

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

10.03.2026

Heard Mr. A. Lal, learned counsel for the petitioner. Also heard Mr. B.K. Das, learned Standing Counsel, Railway.

2. On the question of whether permission from the National Company Law Tribunal is required for proceeding with an application for appointment of an arbitrator under Section 11(6) of the Arbitration and Conciliation Act, 1996, the parties have rendered their respective arguments..

3. The hearing remained inconclusive.

4. Accordingly, let this matter be listed for further hearing on 19.03.2026.

JUDGE

Comparing Assistant