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

Case No. : WP(C)/4036/2025

COSSIPORE TEA COMPANY PVT LTD
A COMPANY INCORPORATED UNDER THE PROVISIONS OF THE
COMPANIES ACT, 1956 HAVING ITS REGISTERED OFFICE AT FMC
FORTUNA UNIT-A-4, THIRD FLOOR, 234/3A, AJC BOSE ROAD, KOLKATA,
700020, REPRESENTED BY MR. RAMESH KUMAR PODDAR, SON OF DR.
MOTILAL PODDAR, PRESENTLY RESIDING AT ANIL PLAZA, AND 2ND
FLOOR, G.S. ROAD, GUWAHATI-05, ASSAM

VERSUS

THE UNION OF INDIA AND 4 ORS.
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA,
MINISTRY OF ROAD, TRANSPORT AND HIGHWAYS, NEW DELHI.

2:THE NATIONAL HIGHWAYS AND INFRASTRUCTURE DEVELOPMENT
CORPORATION LTD
HAVING ITS REGIONAL OFFICE AT GUWAHATI
2ND FLOOR AGNISHANTI BUSINESS PARK
OPPOSITE AGP OFFICE
GNB ROAD
AMBARI
GUWAHATI
ASSAM
781001

3:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM

REVENUE DEPARTMENT
DISPUR
GUWAHATI-781006

4:THE DISTRICT COMMISSIONER

CACHAR DISTRICT
SILCHAR

5:THE CO DISTRICT COMMISSIONER COMPETEMNT AUTHORITY OF
LAND ACQUISITION (CALA) CACHAR

DIST. CACHAR
ASSA

Advocate for the Petitioner : MR. K N CHOUDHURY, MR SOHAING,MR. J KALITA

Advocate for the Respondent : SC, NHAI, SC, REVENUE,GA, ASSAM

BEFORE

HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

23-07-2025

1. Heard Mr. K. N. Choudhury, learned Senior counsel assisted by Mr. J. Kalita, learned counsel for the petitioner and Mr. B. Goswami, learned Additional Advocate General, Assam assisted by Mr. N. Goswami, learned State counsel for the respondent Nos. 4 & 5. Also heard Mr. R. K. Talukdar, learned Standing counsel, NHIDCL for the respondent Nos. 1 & 2 and Ms. G. Hazarika, learned Standing counsel, Revenue Department for the respondent No. 3.

2. The grievance raised, amongst others is that though the petitioner was intimated for disbursal of an amount of Rs. 3,90,06,495/- against land acquisition compensation, however, an amount of Rs. 49,41,973/- is still pending due. The other grievance of the petitioner raised in this petition is that the award under which the petitioner was paid compensation has not yet been furnished to it, inasmuch as, it is the contention of the learned Senior counsel that the petitioner shall have a right even to seek enhancement through a reference. However, in absence of such award, the petitioner is deprived of such right.

- 3.** Issue notice, returnable **after 6 (six) weeks.**
- 4.** As Mr. Goswami, learned State counsel for the respondent Nos. 4 & 5, Mr. Talukdar, learned Standing counsel, NHIDCL for the respondent Nos. 1 & 2 and Ms. Hazarika, learned Standing counsel, Revenue Department for the respondent No. 3, have accepted the notices, no formal notices need to be issued to the aforesaid respondents.
- 5.** Extra copies of this writ petition in requisite numbers be served upon the aforesaid learned counsels for the respondents within a period of five days from today.
- 6.** Be that as it may, the State respondent, more particularly, the concerned Collector may file his/her affidavit incorporating the award by the next returnable date.
- 7.** List accordingly.

JUDGE

Comparing Assistant