

GAHC010171042025



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

Case No. : Arb.A./4/2025

THE UNION OF INDIA AND 3 ORS.
REPRESENTED BY THE SECRETARY, RAILWAY BOARD, GOVT. OF INDIA,
RAIL BHAWAN, RAFI MARG, NEW DELHI-110001

2: THE NORTH EAST FRONTIER RAILWAY
REPRESENTED BY GENERAL MANAGER CONSTRUCTION
MALIGAON
GUWAHATI-11.

3: THE CHIEF ENGINEER
CONSTRUCTION NORTH EAST FRONTIER RAILWAY
MALIGAON
GUWAHATI-11.

4: THE DEPUTY CHIEF ENGINEER CON-4
NORTH EAST FRONTIER RAILWAY
IMPHAL
MANIPUR

VERSUS

ECI SANJOSE NAYAK (JV)
A JOINT VENTURE BETWEEN ECI ENGINEERING AND CONSTRUCTION
COMPANY LTD, HAVING REGISTERED OFFICE AT PLOT NO. A12 13,
PANCHAVATI TOWNSHIP, MANIKONDA, RAJENDRA NAGAR MANDAL, RR
DISTRICT, HYDERABAD- 500089, ANDHRA PRADESH AND M/S
CONSTRUCTION SANJOSE, S.A AND NAYAK INFRASTRUCTURE PVT. LTD,
HAVING ITS REGD. OFFICE AT 2ND FLOOR KAMKHYA COMMERCIAL,
OPPOSITE HARI SABHA, PANBAZAR, GUWAHATI-01.

Advocate for the Petitioner : MRS. R DEVI,

Advocate for the Respondent : ,

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA**

ORDER

Date : --15.09.2025

Heard Ms. R. Devi, the learned counsel for the appellants.

2. This is an application u/s 37(1)(b) of the Arbitration and Conciliation Act, 1996 challenging the impugned ad-interim Order dated 06.06.2025 passed by learned Civil Judge (Sr. Division) No. 1, Kamrup (M), Guwahati in Misc. Arbitration Case No. 57/2025, filed by the respondent u/s 9 of the Arbitration and Conciliation Act, 1996, thereby restraining the present appellants from invoking the Bank Guarantee issued by the Central Bank of India, SAMV Branch, Hyderabad for rupees more than 4 crores.

3. Issue Notice to the respondent through registered post with A/D as well as usual process.

4. The appellants shall take steps within 3/4 days.

5. List the matter accordingly after puja vacation, as on a date to be fixed by the Registry.

JUDGE

Comparing Assistant