

GAHC010279762023



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

I.A.(Civil)/965/2024

JIO BP AND ANR
RELIANCE BP MOBILITY LTD FORMALLY RELIANCE PETROLEUM REP BY
ITS VICE PRESIDENT P AND C HAVING HIS REGISTERED OFFICE AT 3RD
FLOOR MAKER CHAMBERS IV 222 NARIMAN POINT MUMBAI
MAHARASHTRA INDIA PIN 400021

2: AREA MANAGER
JIO BP RELIANCE BP MOBILITY LTD BIJAY CRESCENT BUILDING ABOVE
RELIANCE TRENDS RUKMINIGAON G S ROAD GUWAHATI ASSAM 781022
VERSUS

M/S A K DAS AND SONS AND 5 ORS
A PROPRIETORSHIP FIRM HAVING ITS OFFICE AT NH 27/31 VILL
HELANARPAM P.O HOWLY BAKSA BTAD ASSAM REP BY ITS SOLE
PROPRIETOR MR. AJAY KUMAR DAS AGED ABOUT 62 YEARS RESIDING AT
HOWLY TOWN WARD NO. 2 P.O HOWLY DIST. BARPETA ASSAM

2:THE UNION OF INDIA
REP BY THE SECRETARY TO THE MINISTRY OF ROAD TRANSPORT AND
HIGHWAY TRANSPORT BHAWAN PARLIAMENT STREET NEW DELHI 110001

3:UNDER SECRETARY
TO THE MINISTRY OF PETROLEUM AND NATURAL GAS GOVT OF INDIA
SHASTRI BHAWAN NEW DELHI 110001

4:NATIONAL HIGHWAYS AUTHORITY OF INDIA
REP BY ITS CHAIRMAN HAVING ITS REGIONAL OFFICE AT HEDFI HOUSE
4TH FLOOR G S ROAD DISPUR GUWAHATI 781006 ASSAM

5:THE DISTRICT MAGISTRATE CUM DEPUTY COMMISSIONER
BAKSA
BTAD ASSAM

6:SHAIDUL ISLAM
S/O KHALIUR RAHMAN R/O MISSION ROAD WARD NO. 3 BARPETA ROAD
BARPETA ASSAM PIN 781315

Advocate for : MR. JYOTIRMOY ROY
Advocate for : GA
ASSAM appearing for M/S A K DAS AND SONS AND 5 ORS

Advocates for the applicant : Mr. J Roy, Senior Advocate
Mr. PK Munir

Advocates for the respondents : Mr. D Das, Senior Advocate
Mr. M Mohammed
For respondent No.1
Mr. C Baruah
Standing Counsel, NHAI

B E F O R E
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

06.08.2024

The instant application has been filed for vacation/modification and /or alteration of the order dated 05.01.2024.

2. Taking into account that in the accompanying writ petition being WP(C)No.18/2024, this Court after hearing both the parties has extended the interim order, accordingly, the prayer made in the instant application for vacation/modification and /or alteration of the order dated 05.01.2024 is

rejected.

3. The instant application, however, in view of the submission of Mr. J Roy, the learned senior counsel appearing on behalf of the respondent Nos.5 and 6 shall be kept on record and be used as the affidavit filed on behalf of the respondent Nos.5 and 6.

4. Interlocutory application accordingly stands disposed. However, subject to the above observation(s).

JUDGE

Comparing Assistant