

GAHC010078782024



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

Case No. : WA/139/2024

MASUDA KHATUN
W/O AHMED ALI SHEIKH D/O LT. MOTIOR RAHMAN R/O VIL.
VIDYANAGAR NEAR PHE OFFICE WARD NO. 7 GOALPARA TOWN P.O
BALADMARI P.S GOALPARA DIST. GOALPARA PIN 783121

VERSUS

1: THE UNION OF INDIA AND 7 ORS REP. BY THE MINISTRY OF ROAD
TRANSPORT AND HIGH WAY GOVT. OF INDIA NEW DELHI 1

2: THE NATIONAL HIGHWAYS AUTHORITY OF INDIA (NHAI) MINISTRY OF
ROAD TRANSPORT AND HIGHWAY GOVT. OF INDIA A COMPANY HAVING
ITR REGISTRED OFFICE AT G 5 AND 6 SECTOR 10 DWARKA NEW DELHI
110075 AND REGIONAL OFFICE GUWAHATI NEDFI HOUSE 4 TH FLOOR G S
ROAD DISPUR GUWAHATI 781006 ASSAM AND IS REP .BY ITS CHAIRMAN

3: THE NATIONAL HIGHWAYS AND INFRASTRUCTURE DEVELOPMENT
CORPORATIONN LTD. A FULLY OWNED COMPANY OF MINISTRY OF ROAD
TRANSPORT AND HIGHWAY GOVT OF INDIA HAVING ITS OFFICE AND
PRINCIPAL PLACE OF BUSINESSA AT 3RD FLOOR PTI BUILDING 4
PARLIAMENT STREET NEW DELHI 110001 AND HAVING ITS BRANCH
OFFICE AT PMU BONGAIGAON ASSAM PO PS AND DIST BONGAIGAON
ASSAM REP. BY ITS GENERAL MANAGER (P)

4: THE STATE OF ASSAM REP BY THE COMMISSIONER AND SECRETARY
GOVT. OF ASSAM REVENUE AND DISASTER MANAGEMENT DEPTT.
DISPUR GHY 6

5: THE DEPUTY COMMISSIONER,
GOALPARA ASSAM

6: THE COMPETET AUTHORITY FOR LAND ACQUISITION CALA CUM ADC
GOALPARA DISTRICT ASSAM

7:THE EXECUTIVE ENGINEER PW BLDG AND NH DIVISION GOALPARA
AND SOUTH SALMARA MANKACHAR TR BUILDING DIVISION GOALPARA
ASSAM

8:THE COMMISSIONER CUM ARBITRATOR
LOWER ASSAM DIVISION PANBAZAR GHY

For the Appellant(s) : Mr. R.P. Kakati, Sr. Advocate, assisted by Mr. K. Islam, Advocate.

For the Respondent(s) : Ms. K. Phukan, Central Govt. Advocate for respondent No.1.

: Ms. R. Borah, Standing Counsel, NHAI for respondent Nos.2 & 3.

: Ms. N. Bordoloi, Standing Counsel, Revenue Department for
respondent No.4.

: Mr. N. Das, Junior Govt. Advocate, Assam.

- B E F O R E -

HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE N. UNNI KRISHNAN NAIR

13.05.2024

(Vijay Bishnoi, CJ)

This writ appeal is filed by the appellant/writ petitioner being aggrieved with the order dated 04.04.2024 passed by the learned Single Judge in WP(C) No.5324/2023, whereby the learned Single Judge has refused to extend the *interim* stay order while observing that the assessment of the property in question has already been completed and a Notification has already been issued under Section 3D of the National Highways Act, as per which the property vests in the Government.

Having heard the learned counsel for the appellant, we are of the opinion that no case for interference is made out. However, if the appellant wants some clarification in respect of the impugned order dated 04.04.2024 passed by the learned Single Judge, he is at liberty to approach the learned Single Judge.

With the above observation, the writ appeal stands disposed of.

JUDGE

CHIEF JUSTICE

Comparing Assistant