

GAHC010106852024



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

Case No. : I.A.(Civil)/2735/2024

BOARD OF MAJOR PORT AUTHORITY FOR SYAMA PRASAD MOOKERJEE
PORT. KOLKATA, A STATUTORY BODY UNDER THE MAJOR PORT
AUTHORITIES ACT 2121 REP. BY ITS SECRETARY HAVING ITS OFFICE AT
15, STRAND ROAD, KOLKATA 700001

VERSUS

1: MD SHAKIR ALAM AND 3 ORS
S/O MD. NASIMUDDIN, EX RECORD KEEPER,
RESIDENT OF HAMID NAGAR, BURNPUR, ASANSOL MC. BURNPUR,
BARDHMAN, WEST BENGAL. 713325

2:MD. IBRAHIM
S/O LATE ABDUL MAJID EX DECK HAND.
ADD.Z 5/195/19 H.B.P AYUB NAGAR ROAD KOLKATA 700044

3:MD. ATIK, EX DECK HAND
SON OF LATE MOTIUR RAHMAN
RESIDENT OF VILLAGE RASALPUR VIA HAYAGHAT
DIST DARBHANGA BIHAR 847301

4:UNION OF INDIA REP. BY THE SECRETARY TO THE MINISTRY OF
SHIPPING GOVT. OF INDIA NEW DELHI 110001

For the Applicant(s) : Mr. P.K. Roy, Senior Advocate, assisted by Mrs. A. Chakraborty,
Advocate.

For the Respondent(s) : Ms. R. Devi, Central Government Advocate for respondent No.4.

- B E F O R E -
HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE N. UNNI KRISHNAN NAIR

16.09.2024

(Vijay Bishnoi, CJ)

This interlocutory application is filed by the applicant seeking leave to file an appeal against the order dated 25.04.2024 passed by the learned Single Judge in WP(C) No.6258/2016.

It is stated in the interlocutory application that in the writ petition, the Central Inland Water Transport Corporation Limited (CIWTCL) was impleaded as party respondent No.2, whereas the Central Inland Water Transport Corporation Limited was dissolved on 31.08.2016 and the applicant has taken over the properties and liabilities of the Central Inland Water Transport Corporation Limited from 06.09.2016. It is submitted that since the applicant was not impleaded as party respondent in WP(C) No.6258/2016, none has appeared on behalf of it, however, the impugned order passed by the learned Single Judge is directly affecting the rights of the applicant.

The learned counsel for the applicant has, therefore, submitted that in the above facts and circumstances of the case, the applicant be allowed to file an appeal against the impugned order dated 25.04.2024 passed by the learned Single Judge in WP(C) No.6258/2016.

Having heard the learned counsel appearing for the applicant as well as the respondent No.4 and after going through the contents of the interlocutory application, we deem it appropriate to allow the interlocutory application. The applicant is permitted to file an appeal against the order dated 25.04.2024 passed by the learned Single Judge in WP(C) No.6258/2016.

The interlocutory application stands disposed of.

Registry is directed to register the connected appeal and list the same for admission after 2(two) weeks.

JUDGE

CHIEF JUSTICE

Comparing Assistant