

GAHC010199272024



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

Case No. : I.A.(Civil)/3032/2024
In WA No.11143/2024 (Filing Number)

STAR CEMENT LTD
A COMPANY INCORPORATED UNDER THE PROVISIONS OF COMPANIES
ACT, 1956 WHOSE PRINCIPAL PLACE OF LOCATION IS WITHIN THE STATE
OF ASSAM AND HAVING ITS MARKETING OFFICE SITUATED AT MAYUR
GARDEN, 2ND FLOOR, OPP. RAJIV BHAWAN G.S. ROAD, GHY-5, ASSAM
AND HAVING ITS FACTORY SITUATED AT GOPINATH BORDOLOI ROAD,
VILL. CHAMTAPATHAR, SONAPUR, DIST- KAMRUP, ASSAM,
REPRESENTED BY SRI SANJIB KUMAR SAHARIA, THE AUTHORISED
SIGNATORY OF THE PETITIONER COMPANY

VERSUS

1.THE UNION OF INDIA AND 4 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY
OF COMMERCE and INDUSTRY, DEPARTMENT OF INDUSTRIAL POLICY
AND PROMOTION, UDYOG BHAWAN, NEW DELHI

2:THE DEPUTY SECRETARY
DEPARTMENT OF INDUSTRIES AND COMMERCE
DISPUR GHY-6

3:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER and SECRETARY TO THE GOVT.
OF ASSAM, DEPARTMENT OF INDUSTRIES AND COMMERCE
DISPUR, GHY-6

4:THE CHAIRMAN
NORTH EASTERN DEVELOPMENT FINANCE CORPORATION LTD. NEDFI
HOUSE, G.S. ROAD DISPUR GHY-6 ASSAM

5:GENERAL MANAGER
DISTRICT INDUSTRIES AND COMMERCE CENTRE
BAMUNIMAIDAN KAMRUP GHY. ASSA

For the Applicant(s) : Dr. Ashok Saraf, Senior Advocate assisted by Mr. N.N. Dutta, Advocate.

For the Respondent(s) : Mr. B. Chakravarty, Central Government Counsel for respondent No.1.

: Mr. A. Kalita, Standing Counsel, Industries and Commerce for respondent Nos.2, 3 & 5.

: Mr. G. Das, Advocate for respondent No.4.

– **BEFORE** –
HON’BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON’BLE MR. JUSTICE N. UNNI KRISHNAN NAIR

11.11.2024

(Vijay Bishnoi, CJ)

Notice issued to the respondents has been duly served.

Mr. B. Chakravarty, learned Central Government Counsel appears for respondent No.1; Mr. A. Kalita, learned Standing Counsel, Industries and Commerce appears for respondent Nos.2, 3 and 5 and Mr. G. Das, learned counsel appears for respondent No.4.

The matter comes upon for consideration of the instant Interlocutory Application filed on behalf of the applicant under Section 5 of the Limitation Act, 1963 with a prayer to condone the delay of 53 days occasioned in filing the connected writ appeal.

Learned counsel appearing for the respondents have not seriously opposed the application.

Having heard the learned counsel appearing for the parties and after going through the contents of the application, we deem it appropriate to condone the delay of 53 days occasioned in filing the connected writ appeal. Hence, the application is allowed and the delay of 53 days in filing the connected writ appeal is condoned.

Registry is directed to register the connected writ appeal and list the same for

admission after 3(three) weeks.

The application is accordingly disposed of.

JUDGE

CHIEF JUSTICE

Comparing Assistant