

GAHC010210662022



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

Case No. : Review.Pet./178/2022

UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER, NF RAILWAY, MALIGAON,
GUWAHATI 11

VERSUS

M/S MAHESH ENTERPRISES
SHANTI SADAN, 4TH FLOOR, ROOM NO. 404, AT ROAD, GUWAHATI 781001,
DIST KAMRUP M ASSAM

Advocate for the Petitioner : MRS. UMA CHAKRABORTY

Advocate for the Respondent : MR. K P MAHESWARI

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 18-03-2024

This is an application seeking review of the order dated 14.09.2022 passed in I.A.(Civil)/256/2022 whereby this Court stayed the impugned judgment and order dated 23.04.2021/30.06.2021 passed in O.A.-III-127/2014 subject to deposit of 50% of the decretal amount along with interest within 6

(six) weeks from the date of the order before the Registry of this Court. Further to that this Court vide the said order gave liberty to the claimant to withdraw the said amount by filing appropriate application along with an indemnity bond.

2. The learned counsel appearing on behalf of the applicant submits that in view of the judgment passed in Division bench of this Court in the case of *Commissioner-Cum-Secretary (Power) & ors. Vs. M/S Shaman Enterprises reported in 2010 (3) GLT 126*, this Court is required to review the said order.

3. This Court have duly taken note of the recent judgment of the Supreme Court in the case of *Pam Developments Private Limited Vs. The State of West Bengal reported in 2019 (8) SCC 112* and is of the opinion that the instant application seeking review is totally misconceived, for which this review application stands dismissed.

JUDGE

Comparing Assistant