

GAHC010275652023



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

Case No. : Tr.P.(C)/111/2023

UNION OF INDIA AND ANR
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA,
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS,
TRANSPORT BHAWAN, 1, PARLIAMENT STREET,
NEW DELHI- 110001.

2: NATIONAL HIGHWAYS AND INFRASTRUCTURE DEVELOPMENT
CORPORATION LIMITED
(UNDER MINISTRY OF ROAD TRANSPORT AND HIGHWAYS
GOVT. OF INDIA

REPRESENTED BY THE PROJECT MANAGER

PROJECT MONITORING UNIT-DIPHU

NHIDCL
PWD(IB)
PWD COLONY

LUMDING ROAD
DIPHU
KARBI ANGLONG

ASSAM
PIN- 78246

VERSUS

BIPUL CHANDRA SAIKIA AND 8 ORS
SON OF - LATE MITHARAM SAIKIA,
VILLAGE LANGHIN TINALAI,
PO LANGHIN TINALAI,
PS DOKMOKA,
KARBI ANGLONG,

ASSAM, PIN- 782441.

2:THE STATE OF ASSAM
REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO THE
GOVERNMENT OF ASSAM

REVENUE AND DISASTER MANAGEMENT DEPARTMENT

ASSAM SECRETARIAT
DISPUR

GUWAHATI- 781006.

3:KARBI ANGLONG AUTONOMOUS COUNCIL
REPRESENTED BY THE PRINCIPAL SECRETARY

DIPHU
KARBI ANGLONG
ASSAM

PIN- 782460.

4:THE PRINCIPAL SECRETARY
KARBI ANGLONG AUTONOMOUS COUNCIL
DIPHU
KARBI ANGLONG
ASSAM

PIN- 782460.

5:THE COMPETENT AUTHORITY FOR LAND ACQUISITION
JOINT SECRETARY (REVENUE)

KARBI ANGLONG AUTONOMOUS COUNCIL

DIPHU
KARBI ANGLONG
ASSAM

PIN- 782460.

6:THE DEPUTY COMMISSIONER
KARBI ANGLONG DISTRICT
DIPHU
KARBI ANGLONG
ASSAM

PIN- 782460.

7:THE ASSISTANT SETTLEMENT OFFICER
PHULONI REVENUE CIRCLE
KARBI ANGLONG AUTONOMOUS COUNCIL

DIPHU
KARBI ANGLONG
ASSAM

PIN- 782460.

8:THE ASSISTANT REVENUE OFFICER
PHULONI REVENUE CIRCLE
KARBI ANGLONG AUTONOMOUS COUNCIL

DIPHU
KARBI ANGLONG
ASSAM

PIN- 782460.

9:NATIONAL HIGH WAY AUTHORITY OF INDIA
REPRESENTED BY ITS CHAIRMAN

G-5 AND 6
SECTOR 10
DWARKA

NEW DELHI- 110075

For the Petitioner(s) : Mr. C. Baruah, CGC

For the Respondent(s) : Mr. A. Bhattacharyya, Advocate
: Mr. K. K. Bhattacharyya, Advocate
: Mr. G. Alam, Advocate

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 06.03.2024

1. This is an application filed under Section 24 read with Section 151 of the

Code of Civil Procedure, 1908 for transferring the case being Arbitration Main Case No.01/2023 along with Misc. Arbitration Case No.01/2023 from the Court of the Mr. Roushan Lal, learned District and Sessions Judge, Karbi Anglong to any other competent Court to try and dispose of the same.

2. The instant application has been filed apprehending bias on account of an order passed by the learned District Judge. This Court had duly taken note of the materials on record and further taking into account that the learned District and Sessions Judge, Karbi Anglong had duly accepted the mistake which he had committed by rectifying/modifying and also by accepting the mistake in his order which shows his magnanimity for which this Court is of the opinion that likelihood of bias which have been alleged does not arise.

3. Consequently, this Court finds no ground for entertaining the instant petition for which the instant petition stands dismissed.

4. Interim order passed on 06.12.2023 stands vacated.

5. The parties are directed to appear before the learned District & Sessions Judge, Karbi Anglong on 08.04.2024.

JUDGE

Comparing Assistant