

GAHC010279622023



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

Case No. : MC/1/2024
In ARB No. 22/2023

M/S. JCL INFRA PVT. LTD.,
(FORMERLY KNOWN AS J. SONS COMPANY LTD. AND THEREAFTER M/S
JCL INFRA LTD.), CORPORATE OFFICE AT E-341, MAYUR VIHAR PHASE-2,
DELHI-110091, REPRESENTED BY ITS ASST GENERAL MANAGER, SRI
VIJAY RAJVANSHI, S/O- LATE RAM KISHAN DAS, E-341, MAYUR VIHAR
PHASE-2, DELHI-110091.

VERSUS

THE UNION OF INDIA AND ANR
MINISTRY OF RAILWAYS, THROUGH ITS GENERAL MANAGER, NORTH
FRONTIER RAILWAYS, MALIGAON, GUWAHATI, ASSAM-781011.

2:THE CHIEF ENGINEER/CON-IV

NORTH FRONTIER RAILWAYS
MALIGAON
GUWAHATI
ASSAM-781011

Advocate for the Petitioner : MR. R A CHOUDHURY

Advocate for the Respondent : DY.S.G.I.

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

10-01-2024

Heard Shri R. A. Choudhury, learned counsel for the applicant, who by means of this application has prayed for restoration of ARB Pet. No. 22/2023 which was dismissed for default on 08.11.2023. Also heard Shri K. Gogoi, learned CGC appearing for the Railways, who submits that the order of dismissal would reflect that even on two previous occasions, the petitioner was not represented.

After considering the aforesaid facts and circumstances, this Court is of the view that interest of justice would require restoration of the petition. However, noticing the conduct of the petitioner, this Court is also of the opinion that some cost is required to be imposed.

The order dated 08.11.2023 passed in ARB Pet. No. 22/2023 is accordingly recalled and the petition is restored to file subject to payment of Rs. 5000/- to the Gauhati High Court Bar Association Welfare Fund.

Misc. Case accordingly stands disposed of.

JUDGE

Comparing Assistant