

GAHC010282712023



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

Case No. : MC/92/2023

M/S GOELS COIR FOAM (INDIA) PVT LTD
A REGD. COMPANIES UNDER THE INDIAN COMPANIES ACT, 1956, HAVING
ITS REGD. OFFICE AND PRINCIPAL PLACE OF BUSINESS AT V-6, RAMPUR
GARDEN, NEAR AGRASEN PART, BAREILLY-243001, UTTAR PRADESH AND
IS REP. BY ITS DULY AUTHORIZED REPRESENTATIVE MR. RAKESH KUMAR
GARG.

VERSUS

THE STATE OF ASSAM AND 5 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
WPT AND BC DEPARTMENT, DISPUR,-781006.

2:THE PRINCIPAL SECRETARY

WPT AND BC DEPTT.
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR
DISPUR
GUWAHATI
ASSAM-781006.

3:THE JOINT SECRETARY

WPT AND BC DEPTT.
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR
DISPUR
GUWAHATI
ASSAM-781006.

4:THE ADDL. DIRECTOR CUM CHD

WPT AND BC DEPTT.

BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR
ASSAM.

5:THE BLOCK DEVELOPMENT OFFICER

MANIKPUR DEVELOPMENT BLOCK
MANIKPUR
ASSAM.

6:THE PROJECT DIRECTOR

DISTRICT RURAL DEVELOPMENT AGENCY
CHIRANG
ASSAM

For the Petitioner(s) : Mr. M. Haloi, Advocate

For the Respondent(s) : Mr. R. Dhar, Standing Counsel

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 03.01.2024

1. The instant application has been filed for restoration of the accompanying writ petition which was dismissed for default vide an order dated 18.11.2023.
2. It has been submitted that on 17.05.2022, the Vakalatnama was filed by a new set of counsels but there is no reason assigned as to why the Vakalatnama remained defective. It is also apparent that on three occasions, the writ petition was listed before this Court and it was absolutely on account of the fault of the counsels who have undertaken to appear on behalf of the Petitioner which had resulted in the order of dismissing the writ petition for default.
3. Taking into account that it was the mistake of the counsels, it would not be

proper on the part of this Court to penalize the Petitioner for which this Court recalls the order dated 18.11.2023 and restores the writ petition to the file.

4. Accordingly, the instant Misc. Case stands allowed.

JUDGE

Comparing Assistant