

GAHC010295422023



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

Case No. : I.A.(Civil)/408/2024

UNION OF INDIA
REPRESENTED BY THE GENERAL MANAGER
NF RAILWAY
MALIGAON
GUWAHATI 781011

VERSUS

M/S MEGHALAYA CEMENTS LTD.
MEGHA PLAZA
4TH FLOOR
GS ROAD
GUWAHATI 781005
ASSAM

Advocate for : MR. P S BHATTACHARYYA
Advocate for : appearing for M/S MEGHALAYA CEMENTS LTD.

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 24.04.2024

Heard Mr. P. S. Bhattacharyya, learned counsel for the applicant/CGC.

This is an application for stay of the operation of the judgment and order dated

29.09.2023 passed by the Railway Claims Tribunal, Guwahati Bench in O.A. No.-III-75/2013.

Mr. P. S. Bhattacharyya, learned counsel for the applicant/CGC, submits that as per the judgment and order dated 29.09.2023, the Trial Court directed the appellant to pay to the respondent Rs.34,905/- (Rupees three-four thousand thousand nine hundred five) only along with 6% interest per annum as a punitive charge along with the demurrage charge to the tune of Rs.3,10,800/- (Rupees three lakhs 10 thousand eight hundred) only. Hence, he prays for stay of the judgment and order dated 29.09.2023 passed by the Railway Claims Tribunal, Guwahati Bench in O.A. No.-III-75/2013.

Considering the entire facts and circumstances of the case and in the interest of justice, pending disposal of the connected appeal, being MFA No.10/2024, operation of the impugned order dated 29.09.2023 passed by the Railway Claims Tribunal, Guwahati Bench in O.A. No.-III-75/2013, stands stayed.

In terms of above, this interlocutory application stands disposed.

JUDGE

Comparing Assistant