

GAHC010019462023



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

Case No. : WP(C)/496/2023

VOYANTS SOLUTIONS PRIVATE LIMITED AND 2 ORS  
IN ASSOCIATION WITH YASHICA CONSULTANTS AND EDUCATIONAL  
SERVICES PVT. LTD.,  
403, 4TH FLOOR, PARK CENTRA,  
SECTOR-30, NH-8, GURUGRAM- 1220001.

2: VOYANTS SOLUTION PRIVATE LIMITED  
403  
4TH FLOOR  
PARK CENTRA

SECTOR-30  
NH-8  
GURUGRAM- 122001.

REPRESENTED BY MR. PRASANTA BHATTACHARYA.

3: YASHICA CONSULTATION AND EDUCATIONAL SERVICES PVT. LTD.  
C-179  
JEEWAN NAGAR

NEW DELHI- 110014

VERSUS

UNION OF INDIA AND 4 ORS  
REPRESENTED THROUGH THE SECRETARY, MINISTRY OF ROAD  
TRANSPORT AND HIGHWAYS,  
PARYAVARAN BHAWAN, 1, SANSAD MARG,  
NEW DELHI- 110001.

2: THE NATIONAL HIGHWAYS AND INFRASTRUCTURE DEVELOPMENT  
CORPORATION LTD.  
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

*IF Div. is requested to upload the same with earlier order  
dated . 01/02/23 on the website .*

*G.M. [ETD] 20/03.23 Anant*

*20/3/23  
(K.K. Sharma)  
DGM (L)*

GOVT. OF INDIA  
PTI BUILDING

3RD FLOOR  
4  
PARLIAMENT STREET

NEW DELHI-110001.

3:THE MANAGING DIRECTOR  
NATIONAL HIGHWAYS AND INFRASTRUCTURE DEVELOPMENT  
CORPORATION LTD.  
PTI BUILDING  
3RD FLOOR

4  
PARLIAMENT STREET

NEW DELHI-110001.

4:THE EXECUTIVE DIRECTOR  
NATIONAL HIGHWAYS AND INFRASTRUCTURE DEVELOPMENT  
CORPORATION LTD.  
PTI BUILDING  
3RD FLOOR

4  
PARLIAMENT STREET

NEW DELHI-110001.

5:THE EXECUTIVE DIRECTOR (PROJECTS)  
REGIONAL OFFICE  
NATIONAL HIGHWAYS AND INFRASTRUCTURE DEVELOPMENT  
CORPORATION LTD.  
AGNI SHANTI BUSINESS PARK

2ND FLOOR  
OPPOSITE AGP OFFICE

GNB ROAD  
AMBARI

GUWAHATI- 781001 (ASSAM)

**Advocate for the Petitioner** : MR. I CHOUDHURY

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

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

**ORDER**

**13.03.2023**

Heard Shri I. Choudhury, learned Senior Counsel for the petitioners.

List this case on 10.04.2023.

Interim order passed earlier to continue till the next date of listing.

**JUDGE**

**Comparing Assistant**



BEFORE  
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

**01.02.2023**

Heard Shri I. Choudhury, learned Senior Counsel assisted by Shri S. Biswakarma, learned counsel for the petitioners.

The petitioners are aggrieved by an order dated 23.01.2023, issued by the National Highway Infrastructure Development Corporation Limited (NHIDCL) by which the petitioners have been debarred for two years from participating in any future projects of the NHIDCL or of the Ministry either directly or indirectly.

According to the respondents, the said order was preceded by a Show Cause Notice dated 26.09.2022.

The learned Senior Counsel for the petitioners by referring to the communication dated 26.09.2022 submits that by no stretch of imagination, the same can be construed to be a Show Cause Notice and therefore, the petitioners were deprived of an effective opportunity to place its case before the impugned debarment notice was issued.

Issue notice, returnable by 6 (six) weeks.

Shri R.K. Talukdar, learned Standing Counsel, NHIDCL accepts notice on behalf of all the respondents.

Extra copies of the writ petition be served upon Shri Talukdar, the learned counsel by tomorrow, i.e. 02.02.2023.

Shri Choudhury, the learned Senior Counsel prays for an interim order. At

the same time. Shri Talukdar, the learned counsel for the respondents raises a preliminary objection on questioning the maintainability of the writ petition on the ground of availability of alternative remedy in the form of an arbitration.

The aforesaid submission would be considered at an appropriate stage.

Till the returnable date, the impugned communication dated 26.09.2022 of debarment shall remain suspended.

List this matter on 13.03.2023.

**JUDGE**

**Comparing Assistant**

BEFORE  
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

**06.02.2023**

Heard Shri S. Biswakarma, learned counsel for the applicants / writ petitioners whereas Shri RK Talukdar, learned Standing Counsel is present for the NHIDCL.

2. By this application, a correction has been sought for in the order dated 01.02.2023 passed in WP(C)/496/2023 regarding the date of the impugned communication. In the penultimate paragraph, while passing an order for interim stay, this Court has referred the date of impugned communication to be 26.09.2022. For ready reference, the said observation is extracted hereinbelow:

*“Till the returnable date, the impugned communication dated 26.09.2022 of debarment shall remain suspended.”*

3. The date of communication however should be 23.01.2023 which is apparent from the second paragraph of the order.

4. In view of the above, the order dated 01.02.2023 passed in WP(C)/496/2023 stands corrected by observing that the date appearing in the second last paragraph of 26.09.2022 be read as 23.01.2023. For all practical purpose, a copy of this order be treated as part of the order dated 01.02.2023.

5. The application accordingly stands disposed of.

JUDGE

Comparing Assistant

# The Gauhati High Court- Principal Seat at Guwahati

## Principal Seat at Guwahati Case Details

Case Type	: WP(C)		
Filing Number	: 1059/2023	Filing Date:	30-01-2023
Registration Number	: 496/2023	Registration Date:	30-01-2023
CNR Number	: GAHC01-001946-2023		

## Case Status

First Hearing Date	:
Next Hearing Date	: Next Date is not given
Stage of Case	: ORDERS
Coram	: 1842HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI
Bench	: Single Bench
State	: Assam
District	: Dibrugarh
Judicial	: Writ Section

## Petitioner and Advocate

1) VOYANTS SOLUTIONS PRIVATE LIMITED AND 2 ORS

Advocate- MR. I CHOUDHURY,MR. S BISWAKARMA ,MR. S BISWAKARMA,R. CHAUHAN,MR T DAS

2) VOYANTS SOLUTION PRIVATE LIMITED

3) YASHICA CONSULTATION AND EDUCATIONAL SERVICES PVT. LTD.

## Respondent and Advocate

1) UNION OF INDIA AND 4 ORS

Advocate - D.Y.S.G.I. ,SC, NHIDC

2) THE NATIONAL HIGHWAYS AND INFRASTRUCTURE DEVELOPMENT CORPORATION LTD.

3) THE MANAGING DIRECTOR, NATIONAL HIGHWAYS AND INFRASTRUCTURE DEVELOPMENT CORPORATION LTD.

4) THE EXECUTIVE DIRECTOR, NATIONAL HIGHWAYS AND INFRASTRUCTURE DEVELOPMENT CORPORATION LTD.

5) THE EXECUTIVE DIRECTOR (PROJECTS), REGIONAL OFFICE

## Acts

Under Act(s)	Under Section(s)
CONSTITUTION OF INDIA	ARTICLE 226

## Sub Matters

Case Number :	I.A.(Civil)/292/2023
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## History of Case Hearing

Cause List Type	Judge	Business On Date	Hearing Date	Purpose of hearing
Daily	HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI		13-03-2023	MOTION
Supplementary	HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI			ORDERS

## Orders

Order Number	Judge	Order Date	Order Details
1	HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI	01-02-2023	

## Category Details

Category	10189 - Other Civil Rules relating to other Writ Petitions. ( 247 )
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