

GAHC010045852022



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

Case No. : CRP(IO)/115/2022

M/S STEEL ENGINEERS
A PROPRIETORIAL CONCERN HAVING ITS OFFICE AT SILPUKHURI,
GUWAHATI-781003 AND REPRESENTED BY ITS PROPRIETOR SRI AMITH
GOSWAMI, S/O LATE SANJIB GOSWAMI, R/O G.N.B. ROAD, SILPUKHURI,
NEXT TO JUNGLE TRAVELS, GUWHAATI-781003

VERSUS

M/S SWAHID KUSHAL KONWAR SAMABAYA SUTAKOL LTD
A REGISTERED COOPERATIVE SOCIETY HAVING ITS REGISTERED OFFICE
AT DABIDUBI, DIST- GOLAGHAT, ASSAM, PIN-785621

Advocate for the Petitioner : MR. B D DEKA, MR A DEKA, MR A BHATRA, N CHAUDHURY

Advocate for the Respondent : MR. M DAS,

BEFORE
HONOURABLE MR. JUSTICE K. SEMA

ORDER

Date : 06-11-2024

Heard Mr. N Choudhury, learned counsel for the petitioner.

In terms of the order dated 03/10/2024 passed by this Court, the learned District & Sessions Judge Golghat has submitted the report stating in detail the reason for the pendency

of the Money Execution Case No. 01/2009. This Court has perused the report dated 04/11/2024 passed by the Office of the District & Sessions Judge, Golaghat. The summary and analysis of the report is reproduced herein below;

“Summary and Analysis-

The main reasons for delay and long pendency of this Money Execution Case can be attributed to-

- a) The J.D being a government entity the execution process faced complications.*
- b) No support from the Deputy Registrar of Cooperative Society, Jorhat and the Government Pleader (G.P) is gathered.*
- c) The D.H has taken many adjournments and has not cooperated in many instances with the Civil Nazir exacerbating the delay.*
- d) The Covid-19 pandemic and the death of the D.H also added to the delay in the proceedings.*

Looking at the pendency of this case, special attention has been given to this money execution case to expedite its early disposal.”

Mr. H.R Choudhury, learned counsel for the petitioner submits that since the report submitted by the learned District & Sessions Judge shows that the property of the J.D has been attached nothing remains to be adjudicated in the present petition and therefore, the learned counsel submits that the present petition may be disposed with a direction to the learned District & Sessions Judge, Golaghat to dispose the Money Execution Case No. 01/2009.

In view of the submissions made by the learned counsel for the petitioner and upon considering the report dated 04/11/2024 submitted by the learned District & Sessions Judge, Golaghat, this Court is inclined to close the present petition with a direction to the learned

District & Sessions Judge to dispose the Money Execution Case No. 01/2009 as expeditiously as possible and in accordance with law.

Petition disposed.

JUDGE

Comparing Assistant