

GAHC010088892026



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

**Case No. : CRP/75/2026**

M/S BRAHMAPUTRA DISTILLERY AND ANR  
A PROPRIETORSHIP FIRM HAVING ITS FACTORY AT LAIPULI, A.T. ROAD,  
TINSUKIA, P.O.- LAIPULI, P.S.- TINSUKIA, DISTRICT- TINSUKIA, ASSAM-  
786183, REPRESENTED BY ITS PROPRIETOR, SRI BHARAT GOHAIN.

2: BHARAT GOHAIN  
PROPRIETOR OF M/S BRAHMAPUTRA DISTILLERY  
RESIDENT OF OKANI MORIA GAON  
A.T. ROAD  
TINSUKIA  
P.O.- LAIPULI  
P.S.- PANITOLA  
DISTRICT- TINSUKIA  
ASSAM- 786183

VERSUS

ASSOCIATED ALCOHOL AND BEVERAGES COMPANY  
A PARTNERSHIP FIRM REGISTERED UNDER THE INDIAN PARTNERSHIP  
ACT, 1932, HAVING ITS REGISTERED OFFICE AND FACTORY AT J.E.C.  
ROAD, GARMUR, JORHAT-785007, ASSAM AND HEAD OFFICE AT KAY DEE  
BUILDING, RUPAHI ALI, JORHAT-785001, ASSAM, REPRESENTED BY ONE  
OF ITS PARTNERS, MR. AKSHAY DUTTA

**Advocate for the Petitioner** : MR. A K GUPTA, MS. M DEY,MS B SARMA,MR. R S MISHRA

**Advocate for the Respondent** : MR. N N DUTTA (FOR CAVEATOR),

**BEFORE  
HONOURABLE MR. JUSTICE KALYAN RAI SURANA**

**ORDER**

**Date : 29.05.2026**

Both sides are duly represented.

2. Mr. A.K. Gupta, learned counsel holding the brief has some medical emergency.
3. Mr. N.N. Dutta, learned counsel for the respondent caveator is present. However, he has raised preliminary objection as to the maintainability of this petition on the ground that under Section 8 of the Commercial Courts Act as well as under the Proviso to Section 115 of the CPC, this revision would not be maintainable and in this regard, he has cited the cases of (1) *Shiv Shakti Coop. Housing Society, Nagpur v. Swaraj Developers, (2003) 6 SCC 659*, and (2) *Black Diamond Trackparts Pvt. Ltd. v. Black Diamond Motors Pvt. Ltd., (2021) 87 PTC 480 (Del) (DB) : (2021) SCC OnLine Del 3946*.
4. Be that as it may, in view of the reasons assigned, the matter stands adjourned today.
5. As agreed to by both sides, list the matter on 03.06.2026.

**JUDGE**

**Comparing Assistant**