

GAHC010153862025



undefined

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

Case No. : WP(C)/4029/2025

MAHINDRA AND MAHINDRA FINANCIAL SERVICES LTD
HAVING ITS REGISTERED OFFICE AT GATE WAY BUILDING APOLLO
BUNDER MUMBAI 400001

2: THE BRANCH MANAGER
MAHINDRA AND MAHINDRA FINANCIAL SERVICE LTD GOALPARA
BRANCH PANCHARATNA ROAD GOALPARA ASSAM BOTH ARE REP BY
SUPRATIM DAS

2: THE BRANCH MANAGER
MAHINDRA AND MAHINDRA FINANCIAL SERVICES LTD
GOALPARA
ASSA

VERSUS

HAKIM UDDIN AND ANR
S/O LT NOBER UDDIN R/O BAPURBHITYA PART II PO DHAMOR RESERVE
PIN 783129 PS BAGUN DIST GOALPARA, ASSAM

2:ASSAM STATE CONSUMER DISPUTES REDRESSAL COMMISSION
GUWAHATI
ASSAM

2:ASSAM STATE CONSUMER DISPUTES REDRESSAL COMMISSION
HOUSEFED COMPLEX CENTRAL BLOCK 5TH FLOOR GUWAHATI 78100

For the petitioner (s) : Mr. U. K. Barman, Advocate

For the respondent (s) : Mr. S. Hoque, Advocate

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH
O R D E R

11.12.2025

Heard the learned counsel appearing on behalf of the parties.

2. Mr. U. Barman, the learned counsel appearing on behalf of the petitioner has referred to the judgment of the Supreme Court in the case of ***Prasanta Kumar Sahoo and Others vs. Charulata Sahu***, reported in ***(2023) 9 SCC 641*** and submitted that the questions which were formulated by this Court in the order dated 19.11.2025 is covered by the said judgment.

3. Per Contra, Mr. S. Hoque, the learned counsel appearing on behalf of the respondents submitted that the counsel who entered into the compromise on behalf of the petitioner is required to be asked as to whether such authority was given or not.

4. In the opinion of this Court taking into account the judgment of the Supreme Court in the case of ***Prasanta Kumar Sahoo*** (supra), the said cannot be the issue. What can be the issue at best is as to whether the counsel who appeared on behalf of the petitioner before the Lok Adalat and signed the compromise was authorized in writing to do so by the petitioner

and that authority was placed before the Lok Adalat permitting the said counsel to sign on behalf of the petitioner. For that purpose, it is the opinion of this Court that the records would be necessary.

5. Accordingly, list this matter again on 08.01.2026.
6. The records of F. A. No.76/2018 pending before the Assam State Consumer Disputes Redressal Commission be placed before this Court.
7. The Registry shall take necessary steps in that regard.
8. The interim order passed earlier shall continue till the next date.

JUDGE

Comparing Assistant