

GAHC010167402018



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

Case No. : WP(C)/5395/2018

CENTRAL BANK OF INDIA AND ANR.
INTER ALIA, CARRYING BUSINESS ON ITS BUSINESS FROM ITS DISPUR
CHARIALI BRANCH AT GANESHGURI, KAHILIPARA ROAD, GUWAHATI,
ASSAM, PIN- 781006

2: AUTHORISED OFFICER
CENTRAL BANK OF INDIA
HAVING ITS REGD OFFICE AT CENTRAL BANK OF INDIA
DISPUR CHARIALI BRANCH AT GANESHGURI
KAHILIPARA ROAD
GUWAHATI
ASSAM
PIN- 781006
REP. BY GURU PRAKAS

VERSUS

M/S. A.K. MULTITRADE (INDIA) PVT. LTD. AND 4 ORS
HAVING ITS REGD OFFICE AT H NO. 27, 3RD BYE LANE, DIST-
KAMRUP(M), ASSAM, PIN- 781005

2:KHAIRUL ISLAM
S/O- LATE AZGAR ALI AHMED
HAVING HIS OFFICE AT H NO. 27
3RD BYE LANE
DIST- KAMRUP(M)
ASSAM
PIN- 781005 AND PRESENTLY R/O- FLAT NO. B 102
1ST FLOOR
PROTECH REGENCY HOUSING COLONY ROAD
HENGRABARI
DISPUR
GUWAHATI- 781006

3:IMRUL ISLAM
S/O- LATE AZGAR ALI AHMED
HAVING HIS OFFICE AT H NO. 27
3RD BYE LANE
DIST- KAMRUP(M)
ASSAM
PIN- 781005 AND PRESENTLY R/O- FLAT NO. B 102
1ST FLOOR
PROTECH REGENCY HOUSING COLONY ROAD
HENGRABARI
DISPUR
GUWAHATI- 781006

4:ZAKIRUL ISLAM
S/O- LATE AZGAR ALI AHMED
PRESENTLY R/O- FLAT NO. B 102
1ST FLOOR
PROTECH REGENCY HOUSING COLONY ROAD
HENGRABARI
DISPUR
GUWAHATI- 781006

5:KHADEJA AHMED
W/O- LATE AZGAR ALI AHMED
R/O- FLAT NO. B 102
1ST FLOOR
PROTECH REGENCY HOUSING COLONY ROAD
HENGRABARI
DISPUR
GUWAHATI- 781006

6:MRS. KAHAN PRAVA SAHA

WIFE OF LT. SWADESH RANJAN SAHA
HOUSE NO. 48
ATHGAON PUKHURIPAR
S.C.BYE-LANE- III
GUWAHATI -781001
DIST. KAMRUP (M)
ASSAM.

7:SRI GAUTAM KUMAR SAHA

SON OF LT. SWADESH RANJAN SAHA
HOUSE NO. 48
ATHGAON PUKHURIPAR
S.C.BYE-LANE- III
GUWAHATI -781001

DIST. KAMRUP (M)
ASSAM.

8:SRI UTTAM KUMAR SAHA

SON OF LT. SWADESH RANJAN SAHA
HOUSE NO. 48
ATHGAON PUKHURIPAR
S.C.BYE-LANE- III
GUWAHATI -781001
DIST. KAMRUP (M)
ASSAM.

9:SRI SATTAM KUMAR SAHA

SON OF LT. SWADESH RANJAN SAHA
HOUSE NO. 48
ATHGAON PUKHURIPAR
S.C.BYE-LANE- III
GUWAHATI -781001
DIST. KAMRUP (M)
ASSAM.

10:SMTI MADHURI SAHA
WIFE OF SRI GAUTAM KUMAR SAHA
HOUSE NO. 48
ATHGAON PUKHURIPAR
S.C.BYE-LANE- III
GUWAHATI -781001
DIST. KAMRUP (M)
ASSAM.

11:SMTI DEEPA SAHA

WIFE OF SRI UTTAM KUMAR SAHA
HOUSE NO. 48
ATHGAON PUKHURIPAR
S.C.BYE-LANE- III
GUWAHATI -781001
DIST. KAMRUP (M)
ASSAM.

12:SMTI SWAPNA SAHA

WIFE OF SRI SATTAM KUMAR SAHA
HOUSE NO. 48
ATHGAON PUKHURIPAR
S.C.BYE-LANE- III

GUWAHATI -781001
DIST. KAMRUP (M)
ASSAM

Advocate for the Petitioner : MR. M SHARMA

Advocate for the Respondent : MR. S J SARMAH (R2)

Linked Case : I.A.(Civil)/41/2020

KANAN PRAVA SAHA AND 6 ORS
W/O LATE SWADESH RANJAN SAHA
R/O HOUSE NO. 48
ATHGAON
PUKHURIPAR
S.C. BYE LANE III
GUWAHATI 781001
DIST. KAMRUP (M)
ASSAM.

2: GAUTAM KUMAR SAHA
S/O LATE SWADESH RANJAN SAHA
R/O HOUSE NO. 48
ATHGAON
PUKHURIPAR
S.C. BYE LANE III
GUWAHATI 781001
DIST. KAMRUP (M)
ASSAM.

3: UTTAM KUMAR SAHA
S/O LATE SWADESH RANJAN SAHA
R/O HOUSE NO. 48
ATHGAON
PUKHURIPAR
S.C. BYE LANE III
GUWAHATI 781001
DIST. KAMRUP (M)
ASSAM.

4: SATTAM KUMAR SAHA
S/O LATE SWADESH RANJAN SAHA
R/O HOUSE NO. 48

ATHGAON
PUKHURIPAR
S.C. BYE LANE III
GUWAHATI 781001
DIST. KAMRUP (M)
ASSAM.

5: MADHURI SAHA
W/O SRI GAUTAM KUMAR SAHA
R/O HOUSE NO. 48
ATHGAON
PUKHURIPAR
S.C. BYE LANE III
GUWAHATI 781001
DIST. KAMRUP (M)
ASSAM.

6: DEEPA SAHA
W/O SRI UTTAM KUMAR SAHA
R/O HOUSE NO. 48
ATHGAON
PUKHURIPAR
S.C. BYE LANE III
GUWAHATI 781001
DIST. KAMRUP (M)
ASSAM.

7: SWAPNA SAHA
W/O SRI SATTAM KUMAR SAHA
R/O HOUSE NO. 48
ATHGAON
PUKHURIPAR
S.C. BYE LANE III
GUWAHATI 781001
DIST. KAMRUP (M)
ASSAM.
VERSUS

CENTRAL BANK OF INDIA AND ANR
DISPUR CHARIALI BRANCH AT GANESHGURI
KAHILIPARA ROAD
GUWAHATI
ASSAM
PIN 781006

2: THE AUTHORIZED OFFICER
CENTRAL BANK OF INDIA
DISPUR CHARIALI BRANCH AT GANESHGURI

KAHILIPARA ROAD
GUWAHATI
ASSAM
PIN 781006

Advocate for : MR. O P BHATI
Advocate for : MR. M SARMA appearing for CENTRAL BANK OF INDIA AND
ANR

Linked Case : WP(C)/2545/2020

M/S. A.K.MULTITRADE (INDIA) PVT. LTD.
HAVING ITS REGD. OFFICE AT H.NO. 27
3RD BYE-LANE
DIST.- KAMRUP (M)
ASSAM
GHY-05
REP. BY ONE OF ITS DIRECTOR KHAIRUL ISLAM (AGED ABOUT 41 YEARS)
S/O- LT. AZGAR ALI AHMED HAVING HIS OFFICE AT H.NO. 27
3RD BYE-LANE
GHY
KAMRUP (M)
ASSAM
781005

VERSUS

CENTRAL BANK OF INDIA AND ANR.
A BANKING COMPANY
HAVING ITS REGIONAL OFFICE AT G.S.ROAD
CENTRAL BANK BUILDING
BHANGAGARH GHY-05
ASSAM

2:AUTHORISED OFFICER
CENTRAL BANK OF INDIA
DISPUR CHARIALI BRANCH
GANESHGURI
KAHILIPARA ROAD
GHY-06
ASSAM

Advocate for : MR. R PHUKAN
Advocate for : appearing for CENTRAL BANK OF INDIA AND ANR.

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 22.12.2023

Heard the learned counsel for the parties.

List the matter again on **19.01.2024**.

The respondent Central Bank of India is given the liberty to file affidavit in WP(C) 2545/2020 on or before 12.01.2024. The petitioner thereupon shall be at liberty to file reply, if so advised.

In respect to WP(C) 5395/2018, the learned counsel appearing for the petitioner Central Bank of India shall duly satisfy this Court on the aspect whether issuance of the Sale Certificate during the pendency of appeal before the DRAT, would be not subject to the outcome of the said proceedings.

JUDGE

Comparing Assistant