

GAHC010193652025



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

Case No. : I.A.(Civil)/2840/2025

RAMEN DEKA
SON OF LATE RAMESH CHANDRA DEKA, AGED ABOUT RESIDENT OF 6TH
FLOOR, HOTEL RIALTO, PAN BAZAR, GUWAHATI, KAMRUP(M), ASSAM-
781001

VERSUS

UCO BANK, A BANKING COMPANY AND CORPORATE
CONSTITUTED UNDER THE BANKING COMPANIES 1971, HAVING ITS
HEAD OFFICE AT 10, BRABOURNE ROAD, DOING ITS BANKING BUSINESS
THROUGHOUT INDIA THROUGH DIVERSE REGIONAL AND BRANCH AND
GUWAHATI MAIN BRANCH IS UCO BANK, HB ROAD FANCY BAZAAR,
GUWAHATI 781001 REP. BY ITS AUTHORISED CHIEF MANAGER

2:THE CHIEF MANAGER
UCO BANK
ADDRESS - H B ROAD
FANCY BAZAR
GUWAHATI
PIN781001
DISTRICT - KAMRUP (M)
ASSAM

3:STATE OF ASSAM
REPRESENTED HEREIN BY ITS COMMISSIONER AND SECRETARY
GENERAL ADMINISTRATION DEPARTMENT
GOVERNMENT OF ASSAM
ADDRESS - I - BLOCK
THIRD FLOOR
JANATA BHAWAN
DISPUR
GUWAHATI
PIN-781006
DISTRICT - KAMRUP (M)

ASSAM

4:THE DISTRICT COMMISSIONER
ADDRESS- OFFICE OF THE DISTRICT COMMISSIONER
LICHUBAGAN
HENGRABARI
GUWAHATI
PIN781036
DISTRICT - KAMRUP (M)
ASSAM

5:THE COMMISIONER OF POLICE
ADDRESS- M. G ROAD
PANBAZAR
GUWAHATI
PIN781001
DISTRICT - KAMRUP (M)
ASSAM

Advocate for the Petitioner : MR. R DUBEY, MS N B KAYASTHA,MR. A N I HUSSAIN,MS. A B KAYASTHA

Advocate for the Respondent : GA, ASSAM, MR. S SAMARIA

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 26.02.2026

Heard Mr. R. Dubey, learned counsel for the applicant; Mr. R. Akhtar, learned counsel appearing on behalf of Mr. S. Charania, learned Standing Counsel, UCO Bank for the opposite party nos. 1 & 2; and Mr. S.S. Roy, learned Junior Government Advocate, Assam for the opposite party nos. 3, 4 & 5.

2. This interlocutory application is preferred by the applicant seeking correction of a typographical error crept in in an Order dated 12.02.2025 whereby a writ petition, W.P.[C] no. 164/2025 was disposed of. The applicant herein was the respondent no. 4 in the writ petition, W.P.[C] no. 164/2025.

3. In the writ petition, the opposite party nos. 1 & 2 as the writ petitioners sought for a direction under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest [SARFAESI] Act, 2002 in respect of a property, mentioned in detail in the Order dated 12.02.2025.

4. Paragraph 9 of the Order dated 12.02.2025 reads as under :-

9. Mr. Dubey, learned counsel appearing for respondent no. 4 has submitted that the sixth floor of the RCC building under reference is not under any kind of mortgage with the petitioner Bank and **no** litigation is pending in respect of the said sixth floor of the property before the Civil Court.

5. Mr. Dubey, learned counsel appearing for the applicant has submitted that instead of 'no', it should have been 'a' and he had made his submission accordingly.

6. Mr. Akhtar, learned counsel appearing on behalf of Mr. Chamaria has submitted, on instruction, that the word 'no' is a typographical error and he has no objection if the typographical error is corrected by replacing 'no' with 'a'.

7. As the learned counsel for the parties are in agreement that the submissions were made as regards pendency of a litigation in respect of sixth floor of the property before the Civil Court and the word 'no' is a typographical error, the instant interlocutory application stands allowed. Meaning thereby, the word 'no' in Paragraph 9 of the Order dated 12.02.2025 is to be replaced by 'a' and is to be read as 'a' for all intents and purposes. This Order is to be treated to part and parcel of the Order dated 12.02.2025 passed in the writ petition, W.P.[C] no. 164/2025.

8. The instant applicant stands allowed to the extent indicated above.

JUDGE

Comparing Assistant