

GAHC010239242025



undefined

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

Case No. : I.A.(Civil)/3441/2025

MR RAM KRISHNA PRADHAN
SON OF LATE HARI CHANDRA PRADHAN, RESIDENT OF VILLA C97, ARYA
SMART LIVING, ABHYAPUR, NORTH GUWAHATI -781031

2: MR IMDADUL HUSSAIN
SON OF LATE NAZAMAL HUSSAIN
RESIDENT OF VILLA -D103
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

3: MR BINODE CHETIA
SON OF MONUHAR CHETIA
RESIDENT OF VILLA - D47
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

4: MR NILUTPAL DUTTA
SON OF CHIDANANDA DUTTA
RESIDENT OF VILLA D8
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

5: MS BINITA JALAN

DAUGHTER OF SATYANARAYAN AGARWALLA
RESIDENT OF VILLA C-34
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

6: MR BISHNUPADA CHOUDHURY

SON OF LATE BIRESH BHATTACHARJEE
RESIDENT OF VILLA -8
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

7: MR DILIP SARKAR
SON OF LATE MAHADEV SARKAR
RESIDENT OF VILLA D94
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

8: DR BIJOYA GOSWAMI
DAUGHTER OF UTTAM CHANDRA GOSWAMI
RESIDENT OF VILLA C108
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

9: MR BIREN GOGOI
SON OF LATE JOGADHAR GOGOI
RESIDENT OF VILLA C68
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

10: MR TAPANJYOTI DUTTA
SON OF JOGEN DUTTA
RESIDENT OF VILLA C32
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

11: MR RAMESH CHANDRA SARMA
SON OF LATE UMESH CHANDRA SARMA
RESIDENT OF VILLA C104
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

12: MR SHASHANKA MOHAN GOSWAMI
SON OF LATE KRISHNA MOHAN GOSWAMI
RESIDENT OF VILLA C19
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

13: MR KRISHNA KANTA OJAH

SON OF UPENDRA NATH OJAH
RESIDENT OF VILLA B2
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -78103

VERSUS

THE STATE OF ASSAM
REP BY THE CHIEF SECRETARY TO THE GOVT OF ASSAM, DISPUR
GUWAHATI ASSAM

2:THE REGISTRAR
CO-OPERATIVE SOCIETIES
KHANAPARA
GUWAHATI - 781022
ASSAM

3:THE ASSISTANT REGISTRAR
CO-OPERATIVE SOCIETIES
KHANAPARA
GUWAHATI 781022
ASSAM

4:DISTRICT DEPUTY REGISTRAR

CO-OPERATIVE SOCIETIES
KHANAPARA
GUWAHATI - 781022
ASSAM

5:MR SIDHARTHA DAS
SON OF TARUN CHANDRA DAS
RESIDENT OF VILLA D12B
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI 781031

6:MR SUBROTO CHATTERJEE
SON OF SHIBENDRA KUMAR CHATTERJEE
RESIDENT OF VILLA- D23
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

7:MR SANTOSH KUMAR KHAKHALARY

SON OF PRADIP KUMAR KHAKHALARY
RESIDENT OF VILLA - D14
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

8:MR NABA KAMAL NATH
SON OF BHOLA RAM NATH
RESIDENT OF VILLA - D91
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

9:MR MANTU KUMAR DAS
SON OF DAYAL CHANDRA DAS
RESIDENT OF VILLA - D43
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

10:MR PORESH KUMAR BORA
SON OF GANESH CHANDRA BORA
RESIDENT OF VILLA - D4
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

11:MS DOLLY GOGOI
WIFE OF ARUP CHOUDHURY
RESIDENT OF VILLA- D30
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

12:MR HRIDAYANANDA BORUAH
SON OF HARI CHANDRA BARUAH
RESIDENT OF VILLA - D3
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

13:MR DIPAK ROY

SON OF SUKUMAR ROY
RESIDENT OF VILLA - DV-14
ARYA SMART LIVING
ABHYAPUR

NORTH GUWAHATI -781031

14:MR NITUL SARMA
SON OF BIREN SARMA
RESIDENT OF VILLA - DV-03
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

15:MR PROMOTH KUMAR MODAK
SON OF PARIMAL KUMAR MODAK
RESIDENT OF VILLA - DV-15
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

16:MR SWAPNA DEVI

WIFE OF MRINAL CHANDRA SARMA
RESIDENT OF VILLA - D81
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

17:MR BROJEN DUTTA
SON OF JIBAN CHANDRA DUTTA
RESIDENT OF VILLA - D22
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

18:MR MARKAR BAM
SON OF TOMAR BAM
RESIDENT OF VILLA - DV-27
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

19:MR RAVI DEY

SON OF MINTU DEY
RESIDENT OF VILLA D39
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI -781031

20:DR GANESH DAS
SON OF MR DIJENDRA CHANDRA DAS

RESIDENT OF VILLA- A6
ARYA SMART LIVING
ABHYAPUR
NORTH GUWAHATI - 78103

Advocate for the Petitioner : MR D K BHATTACHARYYA,

Advocate for the Respondent : SC, CO OP, MR S BORTHAKUR

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 30.10.2025

Mr. K.N. Choudhury, learned Senior Counsel assisted by Mr. D.K. Bhattacharyya, learned counsel for the applicant; Mr. S.S. Roy, learned Junior Government Advocate, Assam for the opposite party no. 1; Mr. S.K. Talukdar, learned Standing Counsel, Cooperation Department for the opposite party nos. 2 – 4; and Mr. S. Borthakur, learned counsel for the opposite party nos. 5 – 20 are present.

Mr. Borthakur has sought for a week's time to file an objection to the instant interlocutory application.

It is noticed that in the connected writ petition, an interim order has been passed on 25.09.2025 to the effect that till the returnable date, no election of the Society in question be held. In the connected writ petition, an Order dated 10.09.2025 has been assailed. By the Order dated 10.09.2025, the opposite party-respondent no. 2, while dissolving the BOD of the Society, had appointed an Officer of the Cooperation Department as Officer-on-Management under Section 41[6] of the Assam Cooperative Societies Act, 2007. In view of the interim order passed on 25.09.2025, it is observed that any major decision

taken by the Officer-on-Management in respect of the affairs of the Society will be subject to the outcome of the interlocutory application and the connected writ petition.

The opposite party nos. 5-20, as sought for, are granted time till 11.11.2025 to file their objection to the interlocutory application.

List the case on 11.11.2025.

JUDGE

Comparing Assistant