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

Case No. : Cont.Cas(C)/654/2025

PRIDE REALTY

A PARTNERSHIP FIRM REGISTERED UNDER THE PROVISIONS OF THE
INDIAN PARTNERSHIP ACT, 1932 HAVING ITS REGISTERED OFFICE
SITUATED AT 604, PROTECH CENTRE, 6TH FLOOR, GANESHGURI, G.S.
ROAD, GUWAHATI, IN THE DISTRICT OF KAMRUP , ASSAM, PIN- 781006,
REP. BY ITS PARTNER MANOJ KUMAR JALAN,
S/O- LATE MAHABIR PRASAD JALAN, AGE-59 YRS,
R/O- GEETA MANSION, CHRISTIAN BASTI, G.S ROAD, GUWAHATI, ASSAM,
PIN-781005

2: SRI MANOJ KUMAR JALAN
SON OF LATE MAHABIR PRASAD JALAN
AGED ABOUT 59 YEARS
RESIDENT OF GEETA MANSION
CHRISTIAN BASTI
G.S. ROAD
GUWAHATI
ASSAM
PIN- 781005.

3: SMT LALITA DEVI JALAN
WIFE OF SRI MANOJ KUMAR JALAN
AGED ABOUT 52
RESIDENT OF GEETA MANSION
CHRISTIAN BASTI
G.S. ROAD
GUWAHATI
ASSAM
PIN- 781005.

4: SRI VIVEK ANAND SINGHAL
SON OF SRI ASHOK ANAND SINGHAL AND SMT. SHILPI ANAND SINGHAL
AGED ABOUT 29 YEARS
RESIDENT OF ANAND LOK

HOUSE NO. 1A
MONALISA PATH
GEETANAGAR
ZOO ROAD
GUWAHATI
IN THE DISTRICT OF KAMRUP M
ASSAM
PIN- 781024.

5: M/S PROTECH BUILDCON PVT LTD
A PRIVATE LIMITED COMPANY REGISTERED UNDER THE PROVISIONS OF
THE COMPANIES ACT
1956 AND/OR 2013
HAVING ITS REGISTERED OFFICE SITUATED AT 606
PROTECH CENTRE
6TH FLOOR
GANESHGURI
G.S. ROAD
GUWAHATI
IN THE DISTRICT OF KAMRUP M
ASSAM
PIN- 781006
REP. BY ITS DIRECTOR

MANOJ KUMAR JALAN

S/O- LATE MAHABIR PRASAD JALAN
AGE-59 YRS

R/O- GEETA MANSION
CHRISTIAN BASTI
G.S ROAD
GUWAHATI
ASSAM
PIN-781005

6: M/S PROTECH REALTORS PVT LTD
A PRIVATE LIMITED COMPANY REGISTERED UNDER THE PROVISIONS OF
THE COMPANIES ACT
1956 AND/OR 2013
HAVING ITS REGISTERED OFFICE SITUATED AT 606
PROTECH CENTRE
6TH FLOOR GANESHGURI
G.S. ROAD
GUWAHATI
IN THE DISTRICT OF KAMRUP
ASSAM
PIN- 781006

REP. BY ITS DIRECTOR
MANOJ KUMAR JALAN

S/O- LATE MAHABIR PRASAD JALAN
AGE-59 YRS

R/O- GEETA MANSION
CHRISTIAN BASTI
G.S ROAD
GUWAHATI
ASSAM
PIN-78100

VERSUS

SRI AJAY PAL SINGH
REGIONAL HEAD (OPERATIONS), INDUSIND BANK, GUWAHATI
REGIONAL OFFICE AT SECOND FLOOR, HOLDING NO.4, G.S. ROAD,
BHANGAGARH, VILLAGE ULUBARI, GUWAHATI, ASSAM, PIN- 781005.

2:SRI LOKESH ANAND SINGHAL
SON OF SRI ASHOK ANAND SINGHAL AND SMT. SHILPI ANAND SINGHAL
RESIDENT OF ANAND LOK
HOUSE NO. 1A
MONALISA PATH
GEETANAGAR
ZOO ROAD
GUWAHATI
IN THE DISTRICT OF KAMRUP M
ASSAM
PIN- 781024.

3:SRI SHAHNAWAZ DOULLAH
BRANCH MANAGER INDUSIND BANK GANESHGURI BRANCH
GROUND FLOOR
PROTECH CENTRE
GANESHGURI
GUWAHATI
ASSAM
PIN- 78100

Advocate for the Petitioner : N CHAUDHURY, MR. M DAS, MR. B D DEKA, MR A DEKA

Advocate for the Respondent : ,

**BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

ORDER

Date : 12.12.2025

- 1.** Heard Mr. B.D Deka, learned counsel for the petitioners.
- 2.** This is an appeal u/s 10 of the Contempt of Courts Act, 1971 r/w Rule 3 of the Contempt of Courts (Gauhati High Court) Rules, 1977 and Article 215 of the Constitution of India has been filed by the petitioners alleging deliberate and willful violation of the Order dated 19.12.2024 passed by the Ld. Commercial Court, Civil Judge (Sr. Division) No. 1, Kamrup (M) in Misc. Arb. Case No. 205/2024.
- 3.** Learned counsel for the petitioner has submitted that the Misc. Arb. Case No. 205/2024 was instituted on the basis of an application filed by the petitioner u/s 9 of the Arbitration and Conciliation Act, 1996 seeking a relief of injunction against the opposite parties including the contemnors. In the said arbitration case, by order dated 19.12.2024, the Commercial Court of Ld. Civil Judge (Sr. Division) No. 1, Kamrup (M) directed the opposite parties to defreeze the current account No. 201019835579 of the petitioner No. 1, the same account was in the Indus Bank, Ganeshguri Branch. Further, the direction was also issued to the contemnors No. 2 (opposite party No. 1 in the said arbitration case) by restraining him from taking any actions/steps for closing/freezing of the transactions of the bank accounts of the petitioner No. 1 from post defreezing of the said account and from taking any steps for defreezing of accounts of any of the sister companies, subsidiaries or parent companies or firm of the petitioner.

4. Learned counsel for the petitioner has submitted that the opposite parties appeared before the Court in Misc. Arb. Case No. 205/2024 and filed an application for vacating the injunction order and order of defreezing of the bank accounts passed by the Court by its order dated 19.12.2024. However, the said application is still pending before the Court and yet to be decided and therefore, he submits that the injunction order dated 19.12.2024 is still in force. Learned counsel for the petitioner has further submitted that the contemnor No. 2 has also filed a separate suit which was registered as Title Suit No. 266/2025 an ad interim mandatory injunction was prayed for asking the contemnor bank to freeze the accounts of the various entities of Protech Group Company held by the said bank. However, the Ld. Trial Court declined to issue any ad interim injunction and issued notice to the present petitioner. He further submits that being aggrieved with the aforesaid order of declining to issue any ad interim injunction, the opposite party contemnor approached this Court by filing a FAO which was registered as FAO No. 31/2025. Learned counsel for the petitioner submits that in the said first appeal against order also, the said FAO was dismissed by the order dated 10.11.2025 by this Court directing the Ld. Trial Court to decide the injunction application after hearing both the sides. Learned counsel for the petitioner has submitted that in respect of the specific direction by the Commercial Court of Ld. Civil Judge (Sr. Division) No. 1, Kamrup (M) in Misc. Arb. Case No. 205/2024, the contemnor No. 2 has again approached the contemnor No. 1 bank and prayed for re-verification of the KYC and asked the bank not to operate the bank accounts of the Protech Group of

Companies only on the basis of the authorization given by other partners to Sri. Manoj Kumar Jalan till the re-verification of the KYC is done. He submits that accordingly, the contemnor No. 1 bank, in spite of the clear restraining order of Commercial Court in Misc. Arb. Case No. 205/2024 had freezed 8 nos. of bank accounts of petitioner's firm on 01.12.2025. Learned counsel for the petitioner submits that the petitioners have immediately approached the Commercial Court of Ld. Civil Judge (Sr. Division) No. 1, Kamrup (M) in Misc. Arb. Case No. 205/2024 and filed another application u/s 9 of the Arbitration and Conciliation Act, 1996 bringing to the notice of the Court the violation of its order by the present contemnors and seeking for an appropriate direction from the said Court. Learned counsel for the petitioner submits that said application was posted for consideration on 04.12.2025. However, on that day, the Presiding Officer got transferred and the matter is now posted on 17.12.2025. Learned counsel for the petitioner submits that it is a clear case of willful disobedience of the order of the Commercial Court dated 19.12.2024 passed in Misc. Arb. Case No. 205/2024 and therefore, it is a fit case to invoke this Court's contempt jurisdiction. He further submits that since even the RERA account which involved the money of the flat allottees are involved has been freezed and therefore, immediate appropriate direction may be issued to the bank to defreeze the said accounts.

5. Issue notice to the contemnors.

6. The petitioner shall take steps for issuance of notice on the contemnors by speed post as well as by usual mode within 3(three) days from the date of this order returnable on 20.01.2026.

7. This Court, however, is not inclined to issue any other direction regarding defreezing of the accounts at this stage as the matter is already pending before the Commercial Court of Ld. Civil Judge (Sr. Division) No. 1, Kamrup (M) in Misc. Arb. Case No. 205/2024.

8. Considering the urgency of the matter involved and also considering the fact that the stake of customers (flat allottees) are also involved in this case, the Commercial Court of Ld. Civil Judge (Sr. Division) No. 1, Kamrup (M) is directed to make all endeavors to dispose of the said application as regards the prayer for issuance of direction to the opposite party for defreezing of the said account on the next date fixed i.e. on 17.12.2025.

9. List accordingly.

JUDGE

Comparing Assistant