

GAHC040005482024



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

Case No. : CRP/17/2024

Hayeng Mangfi
Son of Late Tangu Mangfi, proprietor of M/s H.M.Traders, resident of Sinki Park,
Itanagar, PO and PS Itanagar, Papumpare District, Arunachal Pradesh

VERSUS

Arunachal Pradesh State Co-operative Apex Bank Ltd and Anr
represented by its Managing Director, D Sector, Naharlagun, Papumpare District,
Arunachal Pradesh 791110

2:The Branch Manager
Age: 0
Occupation :
Arunachal Pradesh State Co-operative Apex Bank Ltd
Itanagar Branch
Itanagar 79111

Advocate for the Petitioner : Teto Taba, Nimcha Hondique, Anong kabak, Vijay Duku Raji, Begi
Taba, C Ering

Advocate for the Respondent : Pritam Taffo, SC, Apex Bank

Linked Case : CRP/16/2024

Hayeng Mangfi
Age: 50
Occupation :
Address: Son of Late Tangu Mangfi
proprietor of M/s H.M.Traders
resident of Sinki Park
Itanagar

PO and PS Itanagar
Papumpare District
Arunachal Pradesh

VERSUS

Arunachal Pradesh State Co-operative Apex Bank Ltd and Anr

Age: 0

Occupation :

Address:represented by its Managing Director

D Sector

Naharlagun

Papumpare District

Arunachal Pradesh 791110

2:The Branch Manager

Age: 0

Occupation :

Address:Arunachal Pradesh State Co-operative Apex Bank Ltd

Itanagar Branch

Itanagar 791111

Advocate for : Teto Taba

Advocate for : Pritam Taffo appearing for Arunachal Pradesh State Co-operative Apex Bank Ltd and Anr: Advocate , appearing for 2, respectively.

BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG

ORDER

Date :23.05.2025

Heard Mr. T. Taba, learned counsel for the petitioner. Also heard Mr. P. Taffo, learned Standing Counsel for the Arunachal Pradesh State Co-operative Apex Bank Limited, representing the respondent Nos. 1 & 2.

2. Mr. T. Taba, learned counsel for the petitioner submits that in compliance of the direction of this court on 8.5.2025, the petitioner has deposited an amount of Rs. 30,00,000/- (Rupees Thirty Lakhs) on 13.05.2025, towards the repayment of loan against Loan Account No. 190000069950 maintained in Arunachal Pradesh

State Co-operative Apex Bank, Branch Code 102.

3. The learned counsel for the petitioner further submits that the petitioner by depositing the aforesaid amount has shown that he has and is ready to repay the entire loan amount. In addition, he submits that since the petitioner has already published an advertisement in the local newspaper for disposal/sale of the mortgaged property to the prospective purchasers, he is expecting that the same would be sold off soon, therefore, he prays for granting further 6 weeks' time for repayment of the loan amounts.

4. Mr. P. Taffo, learned Standing Counsel for the Arunachal Pradesh State Co-operative Apex Bank Limited raises serious objection and submits that the execution proceedings is pending against the judgment debtor since long, the disposal or selling of the mortgaged property cannot be considered as the good ground for extension of time repeatedly on the same ground.

5. Be that as it may, since the petitioner has shown his Bonafide by depositing Rs. 30,00,000/- (Rupees Thirty Lakhs) on 13.05.2025 towards the repayment as directed by this Court, and he has further undertaken to deposit Rs. 1,70,00,000/- within 6 (six) weeks from today and the rest of amounts within reasonable time, the petitioner is granted further 6 (six) weeks' time to deposit the amount i.e. Rs. 1,70,00,000/- (Rupees One Crore Seventy Lakhs), on or before the expiry of six weeks as directed by this Court vide order dated 25.02.2025.

6. The petitioner shall file an affidavit, providing proof of the payment of Rs.1,70,00,000/-(Rupees One Crore Seventy Lakhs), before the next date of listing. The petitioner shall also deposit the rest of the amounts within the reasonable period of time.

7. List this matter **after 6 (six) weeks.**

JUDGE

Comparing Assistant