

GAHC040005632026



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

Case No. : CRP/27/2026

Obang Gao

Son of Shri Tapon Gao, permanent resident of Molom Village, PO and PS Rumgong, Siang District, Arunachal Pradesh and presently residing at Gumin Nagar near Elam Industry, PO and PS Pasighat, East Siang District, Arunachal Pradesh.

VERSUS

Indira Pertin Taggu

Wife of Late Tajom Taggu, resident of Jarkong Village, PO and PS Pasighat, East Siang District, Arunachal Pradesh.

Advocate for the Petitioner : Vijay Jamoh, Abanso Gamre, Bakar Dulom

Advocate for the Respondent : Okom Tamuk, Kirmani Lollen, Pondit Ronya, Taba Tokur, Khoda Apa, Gamken Bam

BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

Date : 03-08-2026

Heard Mr. A. Gamre, learned counsel for the petitioner. Also heard Mr. K. Apa, learned counsel for the sole respondent.

2. This civil revision petition is directed against the order dated 09.04.2026 passed by the learned Civil Judge (Senior Division), Pasighat in

Execution Petition No.01/2026 whereby, the civil warrant of arrest against the petitioner has been issued.

3. On 24.04.2026, the order dated 09.04.2026 issuing the civil warrant of arrest was stayed, on the undertaking of the petitioner to pay the decretal amount. Subsequently, on 03.07.2026, some more opportunity was prayed for on behalf of the petitioner to take instructions and for the payment.

4. As mentioned in para 5 of the order dated 03.07.2026, this Court granted last opportunity to the petitioner to pay the decretal amount and in lieu thereof, kept the civil warrant of arrest in abeyance.

5. The relevant para 5 of the order dated 03.07.2026 is reproduced herein below:

"5. As a last opportunity, the petitioner is granted two weeks time to pay the entire decretal amount to the respondent. Till then, the notice for Civil Warrant shall remain in abeyance."

6. It may be mentioned herein that the sole respondent herein had filed Money Suit (MS No. 33/2024) for recovery of money in excess of Rs. 2,36,90,000/- (Rupees two crores thirty six lakhs ninety thousand). Subsequently, before the National Lok Adalat on 13.09.2025, the petitioner and the respondent arrived at a settlement whereby the amount was quantified at Rs. 91,00,000/- (Rupees ninety one lakhs to be paid by the petitioner within 4 (four) months.

7. However, despite the lapse of 4 (four) months as the petitioner who was also signatory to the agreement arrived at in the Lok Adalat did not

pay the amount, the respondent initiated an execution proceeding (Execution Petition No. 01/2026) and in that said execution proceeding vide order dated 09.04.2026, civil warrant of arrest was issued against the petitioner, who then filed the instant revision challenging the same.

8. It is submitted that he was not properly noticed before issuing a warrant of arrest.

9. The learned counsel for the respondent counters this by drawing attention to the order dated 09.04.2026, in which the learned court below has referred to the postal tracking report and indicated delivery of the notice on 19.03.2026, but the JD was absent on that day without steps. Thereupon, the civil warrant of arrest was issued.

10. Coming back to the order dated 03.07.2026, it was clearly held that the petitioner is being given last opportunity to pay the amount and stay was granted on that condition.

11. In the context of the above, as no further payment has been made after depositing Rs. 5,00,000/- (Rupees five lakhs) by the petitioner, I find force in the submission of the learned counsel for the respondent that the stay may be vacated.

12. In the said facts and circumstances, there is no option but to vacate the order of stay granted initially vide order dated 24.04.2026, and accordingly, the same is vacated.

13. Call for the scanned TCR of Execution Petition No. 01/2026 from the

Court of the learned Civil Judge (Senior Division), Pasighat.

14. List on 20.08.2026.

JUDGE

Comparing Assistant