

GAHC010059612024



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

Case No. : WP(C)/1700/2024

BIDHU BHUSAN CHAKRABORTY
S/O- LATE BINOD BIHARI CHAKRABORTY,
PROPRIETOR DESH BIDESH PCO, C/O- BLUE DART ELLERA COMPLEX,
CLUB ROAD, SILCHAR TOWN, R/O- VILLAGE AND P.O- SILCHAR, DIST-
CACHAR, ASSAM, PIN-788001

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, INDUSTRIES AND COMMERCE DEPARTMENT, ASSAM, DISPUR,
GUWAHATI-781006

2:THE DIRECTOR

INDUSTRIES AND COMMERCE DEPARTMENT
BAMUNIMAIDAM
GUWAHATI-781021

3:MRS. P SHYAM AND BROTHERS
9 LOWER ROWDEN STREET
KOLKATA-700020
WEST BENGAL

4:MANAGER
PATHE CHHERRA TEA ESTATE

P.O- KUMBHIR

P.S- UDHARBAND
DIST- CACHAR
ASSAM

PIN-78800

Advocate for the Petitioner : MR. R M CHOUDHURY

Advocate for the Respondent : SC, INDUSTRIES AND COMMERCE

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 27-03-2024

The present writ petition is filed seeking a direction to the respondent No.4 to pay an amount of Rs.46,570/- with 12% interest from the date of judgment and decree dated 10.09.2004 passed in Money Suit No.05/2003 by the Court of learned Civil Judge, Junior Division No.2, Silchar, Cachar.

The respondent No.4 is the Manager Pathe Chherra Tea Estate. When the learned counsel for the petitioner was asked to satisfy this court whether the writ petition is maintainable against a private entity that also relating to execution of a decree, the learned counsel for the petitioner has prayed for withdrawal of this petition with a liberty to approach the executing court.

Prayer is allowed.

Accordingly the writ petition stands dismissed on withdrawal with liberty to approach the appropriate forum as permissible under law.

JUDGE

Comparing Assistant