



Serial No.01
Daily List

HIGH COURT OF MEGHALAYA
AT SHILLONG

CRP No.9/2024

Date of Order: 12.11.2025

Shri Paul Leong

..... Petitioner

Vs.

The Archdiocese of Shillong, R/o Laitumkhrah, Shillong, East Khasi Hills District, Meghalaya

..... Respondent

Coram:

Hon'ble Mr. Soumen Sen, Chief Justice

Appearance:

For the Petitioner : Mr. C.C.T. Sangma, Adv

For the Respondent : Mr. S. Sen, Adv

- | | | |
|-----|--|--------|
| i) | Whether approved for reporting in Law journals etc.: | Yes/No |
| ii) | Whether approved for publication in press: | Yes/No |

JUDGMENT: (Oral)

An unmeritorious application has been filed by the judgment debtor resisting the execution of a decree for recovery of possession. The decree was passed on 29.11.2012, and it is not uncommon that the miseries start for the plaintiff after the decree is passed due to the delayed execution of the decree. The judgment debtor has not left any stone unturned to delay the execution of the decree by initiating various proceedings, which were ultimately dismissed.



2. The Executing Court has appointed a bailiff for the purpose of taking possession of the property in question. The bailiff has given only symbolic possession to the decree holder, as the report would show that the bailiff has put a padlock and the property has not been physically handed over to the plaintiff/decreed holder. The impugned order of the Executing Court has clearly narrated the various attempts and direct tactics adopted by the judgment debtor in delaying the execution of the decree. Even before this Court, on one pretext or the other, this revision application was kept pending and adjourned from time to time. Even on the previous occasion, this matter was adjourned on the plea that the judgment debtor is going to engage a learned senior counsel.

3. The learned counsel for the decree holder submitted that the articles lying in the premises have been duly inventorised in the presence of the bailiff. However, the judgment debtor was not represented at the time of the inventory. The bailiff shall carry out the necessary inventory of the articles in the presence of the parties and their learned counsel on 19.11.2025 at 12 noon and the inventory list shall be signed by the parties. The bailiff shall file the inventory report before the Executing Court. In the event, the judgment debtor is absent or is not represented on that date, the inventory list to be prepared by the



bailiff in the presence of the plaintiff shall be final for all purposes and it will not be open to the judgment debtor to question the said inventory list. The time to remove the articles from the suit premises shall be carried out within four weeks from 19.11.2025, failing which, with the assistance of the local police station, the articles shall be removed from the suit premises to any location and the decree holder shall not be held responsible for any damage or loss of any of the articles caused during such removal being carried out in terms of this order.

4. The learned counsel for the decree holder submitted that an application shall be filed in the course of the day before the Executing Court for police assistance. The prayer for police assistance shall be considered in the event this order is not complied with within the aforesaid time, all necessary directions, in addition to the direction, can be passed by the Executing Court. In any event, the entire proceeding shall be concluded as expeditiously as possible, preferably within a period of six months from date and the proceeding may proceed ex parte in the event the judgment debtor fails to appear in spite of notice. The Executing Court shall give peremptory direction in compliance with this order in the execution proceeding so that the proceeding is completed within the aforesaid time.



6. In view of the above, the petition is dismissed.

(Soumen Sen)
Chief Justice

