GAHC010212482026

2026:GAU-AS:15297

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

Case No. : WP(C)/5305/2026

BHOLA NATH SARMA AND ANR
S/O LATE INDRA NATH SARMA, R/O KAMAKHYA DHAM, P.S.- JALUKBARI
IN THE DISTRICT OF KAMRUP M, ASSAM.

2: BALENDRA NATH SARMA
S/O LATE INDRA NATH SARMA
R/O KAMAKHYA DHAM
P.S.- JALUKBARI IN THE DISTRICT OF KAMRUP M
ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, REVENUE AND DISASTER MANAGEMENT DEPARTMENT,
DISPUR, GUWAHATI-6.

2:DISTRICT COMMISSIONER
KAMRUP METRO
RUPNAGAR ROAD
BIRUBARI
GUWAHATI
ASSAM
GUWAHATI
PIN- 781032.

3:THE DIRECTOR
AIRPORTS AUTHORITY OF INDIA (AAI) / LGBI AIRPORT GUWAHATI 781015
ASSAM.

4:CIRCLE OFFICER
AZARA REVENUE CIRCLE
AZARA
GUWAHATI

ASSAM 781029

For the Petitioner (s) : Mr. H. Das, Advocate

For the Respondent(s) : Ms. G. Hazarika, SC, Revenue
Mr. H. K. Hazarika, Govt. Advocate

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH
O R D E R

09.10.2026

Heard Mr. H. Das, the learned counsel appearing on behalf of the Petitioners. Ms. G. Hazarika, the learned counsel appears on behalf of the Respondent No.1 and Mr. H. K. Hazarika, the learned counsel appears on behalf of the Respondent Nos.2 & 3.

2. The present writ petition has been filed by the Petitioners seeking a writ in the nature of mandamus thereby directing the Respondents to release the decreetal amount as per the Lok Adalat settlement decree dated 08.04.2017 in Reference Case No.102/2001 passed by the Additional District Judge No.1, Kamrup (Metro) at Guwahati.

3. It is pertinent to take note of that the decree passed in the Lok Adalat is considered to be a decree passed by a Court of civil jurisdiction and it is also enforceable as a decree. The Petitioners

have filed an execution proceedings before the Court of the Additional District Judge No.1, Kamrup (Metro) at Guwahati which has been registered and numbered as Money Execution Case No.3/2024. On account of the delay in the execution proceedings, the Petitioners have approached this Court under Article 226 of the Constitution for the purpose of seeking execution of the decree passed in the Lok Adalat.

4. In the opinion of this Court, the present proceedings is not only misconceived, but an absolute abuse of the process of the Court, and accordingly, the question of entertaining the instant writ petition would not be in the interest of justice.

5. Considering the above, the instant writ petition stands dismissed.

JUDGE

Comparing Assistant