

GAHC040010542024



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

Case No. : IA(C)/133/2024

Pakter Koyu Marde
Wife of Shri Takar Marde, Resident of H Sector, Near Arunadaya School, Itanagar,
PO/PS Itanagar, Papum Pare District, Arunachal Pradesh.

VERSUS

Smti Kipa @ Gyamar Yaniang
Wife of Shri Gyamar Makeng, Secretary Polo Colony Dene Ajin Fund, Naharlagun,
PO/PS Naharlagun, Papum Pare District, Arunachal Pradesh.

Advocate for the Petitioner : G Kato, Pekyum Tamin

Advocate for the Respondent : K Posi,

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 28-10-2024

Heard Mr. G. Kato, learned counsel for the applicant. Also
heard Mr. K. Posi, learned counsel for the respondent.

2. The connected appeal being RFA 06 (AP)/2023 has already
been admitted by this Court by its order dated 18.07.2024.

3. The present application is filed for stay of the judgment and decree which is under challenge in RFA 06(AP)/2023. The Title Suit No.36/2017 was filed by the plaintiff appellant and suit was decreed to the extent that the petitioner is liable to pay an amount of Rs.20,40,750/-(Rupees twenty lakhs forty thousand seven hundred fifty only) to the defendant respondent. The basic grievance of the petitioner is that the amount should have been Rs. 12 lakhs instead of Rs.20,40,750/-(Rupees twenty lakhs forty thousand seven hundred fifty only).

4. That being the position, considering the matter in its entirety, this Court is of the view that end of justice would be met, if the impugned judgment and decree dated 16.05.2023, passed by the learned Civil Judge (Senior Division), Yupia be suspended subject to deposit of Rs.12 lakhs by the petitioner before the Registry within a period of 4(four) weeks from today.

5. Order accordingly.

6. In view of the aforesaid, interlocutory application stands disposed of.

JUDGE