

GAHC010040122024



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

Case No. : MC/14/2024

MR ARMAN ALI
S/O LATE RAMJAN ALI, R/O AMBARI BYE LANE, GNB ROAD, HOUSE NO.
15, GUWAHATI-01, IN THE DIST. OF KAMRUP M, ASSAM, PH. NO. 95085-
89035

VERSUS

MR MOINUL HAQUE and 4 ORS
S/O LATE ISHA HAQUE

2:SMTI ANJANA MOYEE
W/O MR. MOINUL HAQUE
BOTH ARE R/O HEDAYATPUR
.S. LATASIL
GUWAHATI-03 IN THE DIST. OF KAMRUP M
ASSAM.

3:SURENDRA KUMAR BARUA

S/O LATE SASHIDHAR BARUA

4:DEBARSHI BARUA

S/O LATE SASHIDHAR BARUA

5:SMTI MEGHALI BARUA

W/O SHRI DEBAR BARUA
ALL ARE R/O AMBARI BYE LANE
GNB ROAD
HOUSE NO. 15
GUWAHATI-01

DIST. KAMRUP M
ASSAM

Advocate for the Petitioner : MR G KAKOTI

Advocate for the Respondent : MR. R K BHUYAN

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

18.03.2024

This is an application under Order XLI Rule 19 of the Code of Civil Procedure, 1908, (for short, the Code) for restoration of the accompanying appeal being FAO No.34/2017 which was dismissed for non-prosecution on 05.12.2023.

2. This Court has seen the grounds mentioned therein and is of the opinion that the said grounds are good and reasonable grounds for restoration of the accompanying appeal.

3. Accordingly, the instant application has been allowed.

4. The accompanying appeal being FAO No.34/2017 is restored to file.

5. The Registry is directed to list the FAO No.34/2017 on 02.04.2024 at the top of the list.

6. The miscellaneous application accordingly stands disposed of.

JUDGE

Comparing Assistant