

GAHC010044252024



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

Case No. : CRP/29/2024

ASHAMONI BORAH
D/O SRI SURENDRA NATH GOGOI
RESIDENT OF HOUSE NO. 3, KANCHAN NAGAR, JAIL ROAD NEAR POST
OFFICE, PO BORBHETA, DIST JORHAT, ASSAM 785004

VERSUS

SANJEEB KUMAR BORAH
S/O LATE GOLAP CHANDRA BORAH
RESIDENT OF PARBOTIA, BALUGADA TINIALI, PO HAKANUPUKHURI, PS
AND DIST TINSUKIA, ASSAM

Advocate for the Petitioner : MR J BORAH

Advocate for the Respondent :

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

01.03.2024

Heard Mr. N. Patiri, learned counsel appearing for the petitioner.

This is an application under Section 115 of the Code of Civil Procedure challenging the order dated 20.02.2024 passed by the learned Addl. District Judge No.2, Tinsukia in Title Suit(M) No.136/ 2015.

By the impugned order, the learned court below disposed of four petitions being Petition Nos.1633/2023, 1634/2023, 1635/2023 and 259/2024 by a common order.

I have considered the submissions made by the learned counsel for the petitioner.

After going through the impugned order, this Court is of the opinion that the learned trial court has not applied judicial mind while deciding specific matters, which warranted separate judicial scrutiny.

Therefore, the impugned order dated 20.02.2024 is set aside.

The learned trial court shall dispose of the above-mentioned four applications/petitions separately by passing separate orders. After that, the learned trial court shall proceed to dispose of the Title Suit(M) No.136/2015.

The revision petition is disposed of.

JUDGE

Comparing Assistant