

GAHC010075792024



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

**Case No. : CRP(IO)/163/2024**

SANTI DEVI JALAN @ AGARWAL AND 3 ORS  
W/O- LATE LAXMINARAYAN JALAN @AGARWAL,  
C/O- DR. PANKAJ GOEL,  
R/O- PARBOTIA FEEDER ROAD,  
INFRONT OF A R WINE,  
P.O,P.S AND DIST- TINSUKIA, ASSAM

2: RAMESH KUMAR JALAN  
S/O- LATE LAXMINARAYAN JALAN

3: SANJOY KUMAR JALAN  
S/O- LATE LAXMINARAYAN JALAN  
BOTH THE PETITIONERS 2 AND 3 ARE RESIDENT OF HIJUGURI

C/O-M/S M.P JALAN  
TINSUKIA

P.O AND P.S- HIJUGURI  
DIST- TINSUKIA  
ASSAM

4: AMITA GOEL  
D/O- LATE LAXMINARAYAN JALAN

W/O- DR. PANKAJ GOEL

R/O- PARBOTIA FEEDER ROAD

INFRONT OF A R WINE

P.O  
P.S AND DIST- TINSUKIA  
ASSA

VERSUS

SURESH KUMAR JALAN AND 4 ORS.  
S/O- LATE LAXMINARAYAN JALAN,  
R/O- HIJUGURI,  
C/O- M/S M P JALAN, TINSUKIA,  
P.O AND P.S- HIJUGURI, DIST- TINSUKIA, ASSAM, PIN-786192

2:RAJESH KUMAR JALAN  
S/O- LATE LAXMINARAYAN JALAN

R/O- HOUSE NO-17  
CHITRALEKHA LANE  
SUPER MARKET  
DISPUR-781005  
GUWAHATI  
ASSAM

3:SANGITA JALAN  
W/O- SURESH KUMAR JALAN

C/O- M/S M P JALAN  
TINSUKIA

R/O-HIJUGURI  
P.O AND P.S- HIJUGURI

DIST- TINSUKIA  
ASSAM  
PIN-786192

4:SWETA JALAN  
W/O- RAJESH KUMAR JALAN

R/O- HOUSE NO-17  
CHITRALEKHA LANE  
SUPER MARKET  
DISPUR-781005  
GUWAHATI  
ASSAM

5:PUJA JALAN  
W/O- SANJAY KUMAR JALAN

R/O- HIJUGURI

C/O- M/S M P JALAN  
TINSUKIA

P.O AND P.S- HIJUGURI  
DIST- TINSUKIA  
ASSAM  
PIN-78619

**Advocate for the Petitioner : MR. S ISLAM**

**Advocate for the Respondent :**

**BEFORE  
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

**ORDER**

**17.05.2024**

Heard Mr. P Bora, learned senior counsel for the petitioners, assisted by Mr. S. Islam, Advocate.

This is an application filed under Article 227 of the Constitution of India challenging the order dated 06.02.2024 passed by the learned Civil Judge (Senior Division), Tinsukia in Misc. (J) Case No. 23/2024 arising out of T.S. No. 62/2023.

The petitioners filed an application under Order 39 Rule 1 and 2 of the CPC read with Sections 94 and 151 of the said Code praying for order of injunction. The trial court issued notice. The defendant nos. 1 and 2 and the proforma defendant nos. 1 and 2 have already appeared and therefore, the case was posted on 13.02.2024 for filing objection of those defendants.

Thereafter, on 13.02.2024 again provided time to those defendants to file their objection. Then again on 26.02.2024, time was granted to them for filing objection fixing the case on 19.04.2024.

Mr. Bora has submitted that the matter was again posted on 12.06.2024 for filing written objection. Further, Mr. Bora has submitted that a direction should be given to the court below to dispose of the application within a fixed period of time.

I have considered the submission of Mr. Bora. The Court below is directed to dispose of the application aforesaid within a period of 2 (two) months of receiving this

order. Till then, the parties are directed to maintain status quo in respect of the Schedule –A(8) property.

It is clarified that no construction work shall be undertaken in the suit property till disposal of the injunction petition.

With the above, the civil revision petition is disposed of.

**JUDGE**

**Comparing Assistant**