

GAHC010094172023



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

Case No. : Tr.P.(C)./41/2023

SAMIMA ABDUR ATIQ
DAUGHTER OF ABDUR RAHMAN,
RESIDENT OF HOUSE NO. 9, SUNCITY LANE,
AMBARI, SATGAON,
P.O. UDAYAN BIHAR, P.S.- SATGAON,
DISTRICT- KAMRUP(METRO), ASSAM,
PRESENTLY RESIDING IN THE OFFICIAL QUARTER SITUATED NEAR THE
OFFICE OF THE ASSISTANT COMMISSIONER OF TAXES, JORHAT UNIT,
P.O.- JORHAT, P.S.- JORHAT (SADAR),
DISTRICT- JORHAT, ASSAM.

VERSUS

MANZIL HUSSAIN
SON OF ISSAHAR ALI,
VILLAGE- KUWARIJAN,
P.O.- GANESH KUWARI, P.S.- SIPAJHAR,
DISTRICT- DARRANG, ASSAM.
PRESENTLY RESIDING AT HOUSE NO. 1, C/O- DR. ABDUL MOID,
RABEYA BEGUM, ROSELAND PATH,
BAGHORIBORI, SATGAON,
P.S.SATGAON, GUWAHATI, DISTRICT- KAMRUP(METRO),
ASSAM. PIN- 781037.

For the appellant(s) : Mr. J. Hussain, Advocate

For the respondent (s) : Mr. A. Mena, Advocate

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

01.04.2024

The learned counsel for the petitioner submitted that he would not like to press the instant proceedings. However, the learned counsel for the petitioner submitted that taking into account that the petitioner resides at Jorhat and is working as an Assistant Commissioner of Taxes, it would be difficult on her part to be present on each and every date before the learned Family Court. He submits that the petitioner may be permitted to join in virtual mode.

2. This Court has given an anxious consideration to the said submission. It is the opinion of the Court that such a request should be made before the learned Family Court where the matter is pending and the learned Family Court shall duly consider the same, if possible as per its infrastructure.

3. In view of the withdrawal of the instant application, the instant proceedings stands closed.

4. The Court of the Principal Judge, Family Court No.1, Kamrup (M) at Guwahati shall proceed with the adjudication of the Misc.(G) Case No.153/2022 in accordance with law.

5. Further to that, this Court observes that vide the order dated 15.03.2024, the interim order passed earlier was vacated by this Court. However, taking into account that the parties are duly represented, the

parties are directed to appear before the learned Trial Court on 02.05.2024.

JUDGE

Comparing Assistant