

GAHC010105532024



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

Case No. : FAO/39/2024

MANBAHADUR PRADHAN
S/O LATE ASTA NARAYAN PRADHAN,
R/O VILLAGE NO. 1 SUKTAGURI, MOUZA- SIPAJHAR, DIST.- DARRANG.

VERSUS

SHANKAR PRADHAN
S/O LATE ASTA NARAYAN PRADHAN,
R/O WIRELESS, BELTOLA, NEAR BSNL OFFICE, BASISTHA ROAD,
GUWAHATI, KAMRUP, ASSAM, PIN- 781006.

Advocate for the applicant(s): Ms. V Rai

Advocate for the respondent(s): Mr. S J Sahariah

B E F O R E
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

24.06.2024

Heard Ms.V Rai, the learned counsel appearing on behalf of the appellant and Mr. S J Sahariah, the learned counsel appearing on behalf of the respondents.

2. The instant appeal has been filed being aggrieved by the non-granting of exparte ad-interim injunction by the Court of the learned Civil Judge (Senior Division), Darrang, Mangaldai in Misc.(J)Case No.13/24 arising out of Title Suit No.14/2024.

3. The respondents herein is duly represented and this Court has been apprised that the respondents would be appearing before the learned Trial Court on 10.07.2024.

4. Under such circumstances, this Court would not like to further continue a parallel injunction proceedings before this Court, taking into account that the appellant herein had been granted due protection by the order dated 31.05.2024 in IA(C)No.1580/2024.

5. As the respondents would be appearing before the learned Trial Court, this Court, therefore, disposes of the instant appeal thereby directing the learned Trial Court to dispose of the said injunction proceedings being Misc.(J).Case No.13/2024 within a time frame.

6. The injunction order so passed by this Court on 31.05.2024 in

IA(C)No.1580/2024 shall continue till the disposal of the Misc.(J) Case No.13/2024.

7. It is made clear that the learned Trial Court shall decide the instant injunction proceedings in accordance with law and without being influenced by the order dated 31.05.2024 passed in IA(C)No.1580/2024 or the instant order so passed.

8. This appeal accordingly stands disposed of.

JUDGE

Comparing Assistant