

GAHC010130882024



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

Case No. : CRP(IO)/221/2024

RAJU BALA DEKA AND ANR
W/O- LATE INDESWAR DEKA @ INDESWAR DAS,
R/O- MAJORKURI,
P.O- RAMDIA, P.S- HAJO, DIST- KAMRUP, ASSAM, PIN-781102

2: SANJAY DEKA
S/O- LATE INDESWAR DEKA @ INDESWAR DAS

R/O- MAJORKURI

P.O- RAMDIA
P.S- HAJO
DIST- KAMRUP
ASSAM
PIN-78110

VERSUS

SARALA DEKA AND 4 ORS
W/O- LATE BIPIN CH. DEKA

2:BIMALA BARUAH DEKA
D/O- LATE BIPIN CH. DEKA

3:NAGEN DEKA
S/O- LATE BIPIN CH. DEKA

4:PRADIP DEKA
S/O- LATE BIPIN CH. DEKA

5:NAMITA DEKA
RESPONDENT NO-3
4 AND 5 ARE -
S/O- LATE BIPIN CH. DEKA

ALL ARE R/O- VILLAGE AND P.O- MAJORKURI
P.S- HAJO
DIST- KAMRUP
ASAM
PIN-78110

Advocate for the petitioner(s): Mr. M Saikia

Advocate for the respondent(s): X X

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

28.06.2024

Mr. M Saikia, the learned counsel appearing on behalf of the petitioners submits that the petitioners herein who are the defendants in the suit would be well advised to file an application before the learned Trial Court seeking vacation of the ex-parte order and to pursue it more diligently and, as such, he would not like to press the instant petition.

2. Taking into account the above, the instant petition stands closed on withdrawal.

3. However, liberty is given to the petitioners to file an application before the learned Trial Court i.e. the Court of the learned Civil Judge (Junior Division) Kamrup at Amingaon to file an application for vacating of the ex-parte order.

4. It is observed that in the circumstance, such an application is filed, the

learned Trial Court shall duly consider the same and dispose of the same on merits.

JUDGE

Comparing Assistant