

GAHC010135552023



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

Case No. : CRP(IO)/343/2023

UTPALAKSHYA DAS
S/O LATE MADHUSUDHAN DAS
RESIDENT OF SUNDARIDIA (KALAYAHATI) NEAR PWD OFFICE, MOUZA,
PS AND DIST BARPETA, ASSAM

VERSUS

NILAKANTA CHOUDHURY
S/O LATE TIKENDRA NATH CHOUDHURY
RESIDENT OF M.C COLLEGE ROAD, BARPETA TOWN, MOUZA, PS AND
DIST BARPETA, ASSAM 781301

Advocate for the petitioner(s): Ms. I Das

Advocate for the respondent(s): Ms. A Begum

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

24.04.2024

This is an application challenging the order dated 15.12.2022 passed in Misc.

(J) Case No.06/2019, whereby the Court of the learned Civil Judge Barpeta had rejected the application filed by the petitioner under Order XXI Rule 106 read with Sections 47 and 151 of the Code of Civil Procedure, 1908 (for short, the Code).

2. Ms. I Das, the learned counsel appearing on behalf of the petitioner submits that the petitioner has no further interest in the said suit property and as such, would not like to press the instant proceedings.

3. Taking into account the above, the instant proceedings stands dismissed on withdrawal.

4. The interim order dated 18.10.2023 is vacated.

5. The execution proceeding shall proceed in accordance with law.

JUDGE

Comparing Assistant