

GAHC010156052024



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

Case No. : Tr.P.(C)./67/2024

ELIZA BEGUM @ ALIJA BEGUM
W/O- ABDUS SALAM, R/O- VILL.- BATABARI, P.S. DHULA, P.O. BATABARI,
DIST. DARRANG, ASSAM, PIN- 784146.

VERSUS

ABDUS SALAM AND ANR
S/O- HARMUJ SALAM, R/O- VILL.- SIKATARI PART-I, P.O. KUSHBARI, P.S.
MERERCHER, DIST. BONGAIGAON, ASSAM

2:ABDUL MANNAN
S/O- LATE ROIS ABDIN MANDAL
R/O- VILL.- BATABARI
P.S. DHULA
P.O. BATABARI
DIST. DARRANG
ASSAM
PIN- 784146

Advocate for the Petitioner : DR G J SHARMA,

Advocate for the Respondent : ,

BEFORE

HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

23.09.2024

- 1.** Heard Dr. G.J. Sharma, learned counsel for the petitioner who submits that this application under Section 24 read with Section 151 of the Code of Civil Procedure, 1908 filed by the petitioner for transferring the T.S. (M) Case No. 39/2024 which was pending before the Court of learned Civil Judge, (Jr.) Division at North Salmara, Abhayapuri. However, he submits that by order dated 09.08.2024, the T.S. (M) Case No. 39/2024 was dismissed for default by the Trial Court.
- 2.** In view of the dismissal of the T.S. (M) Case No. 39/2024, the learned counsel for the petitioner has submitted that the instant transfer application has become infructuous and therefore, he prays for allowing the petitioner to withdraw the same with liberty to file a fresh application in the event, the T.S. (M) Case No. 39/2024 is restored by the Trial Court.
- 3.** The prayer is allowed.
- 4.** The case is closed on becoming infructuous with the liberty as prayed for granted.

JUDGE

Comparing Assistant