

GAHC010170552024



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

Case No. : I.A.(Civil)/2705/2024

BROJEN ROY @ BROJENDRA CH ROY
S/O LATE PRASANNA ROY
RESIDENT OF VILLAGE KONWARPUR
MOUZA NOWBOICHA
PS LALUK
DIST LAKHIMPUR
ASSAM

VERSUS

NIKUNJA ROY
S/O LATE PRASANNA ROY
RESIDENT OF VILLAGE HARIBAR DOLONI
MOUZA NOWBOICHA
PS LALUK
DIST LAKHIMPUR
ASSAM

Advocate for : MR. B J MUKHERJEE
Advocate for : appearing for NIKUNJA ROY

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN
ORDER

09.09.2024

Heard Mr. B.J. Mukherjee, learned counsel for the applicant.

2. This interlocutory application, under Order XLI Rule 5 of the C.P.C. is preferred by the applicant, for staying the operation of the impugned Judgment and Decree

dated 16.05.2024, passed by the learned Civil Judge (Senior Division), Lakhimpur, in Title Appeal No. 05/2023.

3. It is to be noted here that vide Judgment and Decree dated 16.05.2024, the learned Civil Judge (Senior Division), Lakhimpur has dismissed the appeal by upholding the Judgment and Decree dated 31.05.2023, passed by the learned Munsiff No. 1, North Lakhimpur, Lakhimpur, in Title Suit No. 17/2017.

4. It is also to be noted here that the connected appeal has already been admitted and the records have already been called for.

5. Having considered the submissions of learned counsel for the applicant and also considering the documents placed on record, it is provided that the operation of the impugned Judgment and Decree dated 16.05.2024, passed by the learned Civil Judge (Senior Division), Lakhimpur, in Title Appeal No. 05/2023, is **stayed**, till disposal of the connected appeal.

6. In terms of above, this I.A. stands closed.

JUDGE

Comparing Assistant