

GAHC010026792024



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

Case No. : I.A.(Civil)/2805/2024

DAYAMOY DEB
S/O LATE DHIRENDRA KUMAR DEB
RESIDENT OF HAILAKANDI TOWN WARD NO. 6
PO
PS AND DIST HAILAKANDI
ASSAM
788151

VERSUS

DHARANI KUMAR DEB AND 5 ORS
S/O LATE DHIRENDRA KUMAR DEB
RESIDENT OF HAILAKANDI TOWN WARD NO. 6
PO
PS AND DIST HAILAKANDI
ASSAM
788151

2:SHANKAR SHEEL
S/O LATE HARIPADA SHEEL
RESIDENT OF HAILAKANDI TOWN WARD NO. 6
PO
PS AND DIST HAILAKANDI
ASSAM
788151

3:BIJAY KRISHNA BHATTACHARJEE
S/O LATE DHIRENDRA KUMAR BHATTACHARJEE
RESIDENT OF HAILAKANDI TOWN WARD NO. 8
PO
PS AND DIST HAILAKANDI
ASSAM
788152

4:PRADIP KUMAR CHAKRABORTY
S/O LOKENDRA MOHAN CHAKRABORTY
RESIDENT OF HAILAKANDI TOWN WARD NO. 8
PO
PS AND DIST HAILAKANDI
ASSAM
788152

5:RINA CHAKRABORTY
W/O JYOTIRMOY CHAKRABORTY
RESIDENT OF ULUBARI
GUWAHATI
ASSAM
781007

6:MUNICIPAL CHAIRPERSON
HAILAKANDI BOARD
HAILAKANDI
ASSAM
PO
PS AND DIST HAILAKANDI
ASSAM 788151

Advocate for : MR. R A CHOUDHURY
Advocate for : appearing for DHARANI KUMAR DEB AND 5 ORS

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN
ORDER**

25.09.2024

Heard Mr. A.U. Choudhury, learned counsel for the applicant.

2. This interlocutory application, under Order 41 Rule 5 of the C.P.C. is preferred by the applicant, for staying the operation of the impugned Judgment and Order dated 31.10.2023, passed by the learned Additional District Judge, Hailakandi, in Title Appeal No. 01/2022

3. It is to be noted here that vide impugned Judgment and Order dated 31.10.2023, passed by the learned Additional District Judge, Hailakandi, in Title Appeal No. 01/2022 has upheld the Judgment and Decree dated 03.12.2018, passed

by the learned Civil Judge, Hailakandi, in Title Suit No. 28/2016.

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

5. Having considered the submission 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 Order dated 31.10.2023, passed by the learned Additional District Judge, Hailakandi, in Title Appeal No. 01/2022, is **stayed**, till disposal of the connected appeal.

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

JUDGE

Comparing Assistant