

GAHC010187022024



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

Case No. : I.A.(Civil)/2876/2024

GITIMA ROY AND 2 ORS
W/O PALLAB MEDHI RESIDENT OF VILLAGE LUTUMA LOKHARA ROAD
PO BINOVA NAGAR
PS FATASIL
GUWAHATI 781018
DIST KAMRUP M ASSAM

2: MOUSUMI MITRA
W/O BISWAJIT MITRA
RESIDENT OF VILLAGE LALGANESH TINIALI
SANTI NAGAR
HOUSE NO. 2 PO LALGANESH
PS FATASIL AMBARI
DIST KAMRUP M ASSAM

3: SUNITA SAHA
W/O NAGENDRA CHANDRA SAHA
RESIDENT OF HOUSE NO. 42
4TH BYE LANE
BHASKAR NAGAR
KALAPAHAR
PS FATASIL AMBARI
GUWAHATI 781018
DIST KAMRUP M ASSAM
VERSUS

SABITA NATH SARMA
W/O LATE MONI KANTA NATH SARMA
RESIDENT OF HOUSE NO. 506
5TH FLOOR
B BLOCK MANAR ELEGANCE SOME SUNDAR PALLAYA HSR 2ND SECTOR
BANGALORE
560102

Advocate for : MR G J SAIKIA
Advocate for : appearing for SABITA NATH SARMA

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

18.09.2024

Heard Mr. G.J. Saikia, learned counsel for the applicants.

2. This interlocutory application, under Order XLI Rule 5 read with Section 151 of the C.P.C. is preferred by the applicants, for staying the operation of the impugned Judgment and Decree dated 16.08.2024, passed by the learned Additional District Judge No. 1, Kamrup (M) at Guwahati, in Title Appeal No. 14/2024.

3. It is to be noted here that vide Judgment and Decree dated 16.08.2024, the learned Additional District Judge No. 1, Kamrup (M) at Guwahati has allowed the appeal filed by the respondent/defendant by reversing the Judgment and Decree dated 30.04.2024, passed by the learned Civil Judge (Senior Division) No. 2, Kamrup (M) at Guwahati, in Title Suit No. 95/2015.

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 submissions of learned counsel for both the parties and also considering the documents placed on record, it is provided that the operation of the impugned Judgment and Decree dated 16.08.2024, passed by the learned Additional District Judge No. 1, Kamrup (M) at Guwahati, in Title Appeal No. 14/2024, is **stayed**, till disposal of the connected appeal.

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

JUDGE

Comparing Assistant