

GAHC010226262023



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

Case No. : CRP(IO)/333/2023

PARTHA ROY
S/O- LATE BAKTI SUNDAR ROY,
R/O- NETAJI PALLY , RANGIRKHARI,
P.O AND P.S- SILCHAR, DIST- CACHAR, ASSAM

VERSUS

DR. ARUN DEBNATH
S/O- LAKHAN DEBNATH,
R/O- IST LINK ROAD, LANE NO-3, SILCHAR, PORGONA- BARAKPUR,
P.S- SILCHAR, DIST- CACHAR, ASSAM

For the Petitioner(s) : Mr. S. P. Choudhury, Advocate

For the Respondent(s) : Mr. G. Dutta, Advocate

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 13.03.2024

1. The learned counsel appearing on behalf of the Petitioner submitted that for the purpose of showing that the subject matter of Title Suit No.103/2015 was same with Title Suit No.61/2016, the production of a certified copy of the

plaint in Title Suit No.103/2015 or such other pleadings so filed would be required. He therefore submitted that he can procure those certified copies and produce before the learned Trial Court. Under such circumstances, he submitted that he would not like to press the instant petition.

2. Taking into account the above, the instant petition stands closed on withdrawal.

3. It is made clear that the withdrawal of the instant petition shall not preclude the Petitioner to produce the certified copy of the plaint and other pleadings of Title Suit No.103/2015 in Title Suit No.61/2016.

4. Interim order passed on 16.10.2023 stands vacated.

5. As the parties are duly represented, both the parties are directed to appear before the learned Trial court on 08.04.2024 for further proceedings in the suit.

JUDGE

Comparing Assistant