

GAHC010278442023



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

Case No. : I.A.(Civil)/3765/2023

MD. SALIM KHAN
S/O MD. SAHABUDDIN KHAN, R/O VILL-BANUGRAM, P.O. AND P.S.-NILAM
BAZAR, PIN-788722, DIST-KARIMGANJ, ASSAM, P/R/A C/O DR.
LALRIMAWIA, MC HILL, ZARKWAT, AIZAWL, DIST-AIZAWL, MIZORAM,
PIN-796007

VERSUS

MD. JAHANUDDIN AHMED @ DULU AHMED AND ANR.
S/O MD. NAZIMUDDIN AHMED, R/O SANTIPUR, OPPOSITE ASHRAM
ROAD, GUWAHATI-781009, HAVING OFFICE AT- HOTEL PLAZA INN, NEAR
GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY OFFICE, GMCH
ROAD, BHANGAGARH, GUWAHATI, DIST-KAMRUP (M), ASSAM

Advocate for the Petitioner : MR. R K BHUYAN

Advocate for the Respondent :

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

05.01.2024

Heard Mr. R.K. Bhuyan, learned counsel appearing for the applicant. Also heard Mr. R.A. Lahkar, learned counsel appearing for the respondent no.2.

By filing this application, Mr. Bhuyan has pointed out that on 03.04.2023, the further proceeding of T.S. No.353/2020 pending in the court of the learned Civil Judge No.2, Kamrup (M), Guwahati shall remain stayed. According to Mr. Bhuyan, further proceeding of the case should not have stayed because the connected revision petition has been filed for another purpose. Therefore, Mr. Bhuyan submits that the said part of the order should be vacated.

After hearing both sides, I have decided to agree with Mr. Bhuyan.

The said order in respect of T.S. No.353/2020 pending in the court of the learned Civil Judge No.2, Kamrup (M), Guwahati stands vacated. The court is at liberty to proceed further with the aforesaid case.

The Interlocutory Application stands disposed.

JUDGE

Comparing Assistant