

GAHC020002772024



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

Civil Revision/7/2024

1. **Mrs. Duolhoukhou Angami,**
W/o-Shri Ngucha Punyu,
R/o-Tenyiphe- I village, C-Khel,
House No.-27, Chumukedima,
Nagaland-797103.

...PETITIONER

-VERSUS-

1. **Mrs. Khriesiu Khezhie,**
W/o- Dziese Khezhie,
R/o- Keredzukha, D-Khel,
Kohima Village, Kohima,
Nagaland-797003.

....RESPONDENT

Advocates for the petitioner : Mr. L. Iralu, Id. Adv.

Advocates for the respondents : Mr. Kekhriengulie, Id. Adv.

:::BEFORE:::

HON'BLE MRS. JUSTICE MITALI THAKURIA

Date of hearing : 09.08.2023

Date of Judgment & Order : 16.08.2023

JUDGMENT & ORDER (CAV)

Heard Mr. L. Iralu, learned counsel for the petitioner. Also heard Mr. Kekhriengulie, learned counsel for the respondent.

2. This application filed under Article 227 of the Constitution of India praying for setting aside the impugned Judgment and Order dated 27.05.2024 passed by the learned Principal District & Sessions Judge, Kohima, Nagaland in Misc. Civil Appeal (MCA) Case No.2/2024 arising out of I.A. (C) Case No.8/2024 in Title Suit No.1/2024 and also granting of temporary injunction restraining the respondent from undertaking further construction activity on the suit land and to preserve its sanctity during the pendency of the Title Suit No.1/2024.

3. The brief fact of the case is that the petitioner purchased a property from defendant No. 2 (Title Suit No.1/2024) on 02.10.2003 for a total consideration of Rs. 3,75,000/- (Rupees Three Lakhs Seventy-Five Thousand) only. This property included a small Assam-type house on the land, which was also transferred to the petitioner by defendant No. 2. There is no dispute between the petitioner and defendant No. 2, as defendant No. 2 has completely divested his rights, title, and interest in

the plot of land to the petitioner. This is further confirmed by the statement made by defendant No. 2 in his written statement filed before the learned Trial Court in connection with Title Suit No. 1/2024.

4. At the time of the land transfer by defendant No. 2 to the petitioner, the present respondent (defendant No. 1 in Title Suit No. 01/2024) resided with her family about 1 km walking distance from the petitioner's plot. The respondent, being the elder sister of the petitioner, used to visit her family from time to time. However, she lived below the main road, i.e., the State Highway leading to the BSF camp, where there was no proper road connectivity at that time, except for a kutchha footpath. Consequently, the petitioner found it difficult to travel to and from the respondent/defendant No. 1's place. For the interest and well-being of the respondent and her family, the petitioner proposed to sale her land to the respondent for same consideration that the petitioner had already paid to defendant No. 2.

5. Accordingly, in the year 2005-06, the respondent sold her former property and moved her family to reside in the small Assam-type house on the petitioner's land. However, the total consideration was not paid, and the respondent only paid Rs. 50,000/- (Rupees Fifty Thousand) to the petitioner. The transaction was conducted orally, and there was no written document regarding the transfer of land to the respondent. Despite this, the respondent did not pay the remaining amount to the petitioner. The petitioner, in good faith, allowed her sister and family to reside in the property, expecting that the remaining money would be paid. Over the

time, the respondent began to ignore the petitioner's requests for payment and took advantage of the petitioner's generosity.

6. Thus, finding no other alternative, the petitioner submitted a complaint to the elders of D' Khel, Kohima village Gaonburahs, to address the matter. However, the issue remained unresolved because the respondent's husband is from another village, not from Kohima, and the Gaonburahs indicated they could not address the matter. In the second week of March 2024, the petitioner was shocked to discover that the suit property was being trespassed upon and that excavation work was underway. The petitioner requested the respondent to immediately cease these illegal acts and interference with the peaceful possession of the property, but the respondent was adamant about continuing her illegal activities. Finding no other alternative, the petitioner filed a Title Suit Case No.1/2024 and an interlocutory application being I.A.(C) No.8/2024 for a temporary injunction against the respondent. However, by order dated 17.04.2024, the learned Trial Court rejected the petitioner's application for a temporary injunction, even though it was acknowledged that there was a *prima facie* case in her favor.

7. On being highly aggrieved, the petitioner filed MCA Case No. 2/2024 before the learned Appellate Court under Order 43 Rule 1(r) of the CPC and also filed an application under Section 75 *read with* Order 26 Rule 9 of the CPC for appointing a commission to investigate the suit property and assess any risk to the land. However, by Judgment dated 27.05.2024, the learned Appellate Court rejected the appeal without providing any

reasons, merely quoting the findings of the learned Trial Court and stating that there was no illegality or infirmity, without addressing any of the contentions raised by the petitioner.

8. The present petitioner, being highly aggrieved and dissatisfied with the order dated 27.05.2024 passed by the learned Principal District & Sessions Judge, Kohima in Misc. Civil Appeal (MCA) Case No.2/2024 arising out of I.A. (C) Case No.8/2024 in Title Suit No.1/2024, has preferred this revision petition praying for setting aside and quashing of the Judgment and Order dated 27.05.2024.

9. Mr. Iralu, learned counsel for the petitioner, has submitted that the Trial Court came into a finding that the petitioner had a *prima facie* case in her favor. However, the balance of inconvenience and irreparable loss and injury required a sound and balanced exercise of discretion, considering the possible outcome of the suit to avoid injustice and serve justice. The Trial Court, however, failed to recognize that the respondent sought to construct a retaining wall where earth had been dug. The Court allowed the respondent to build on the suit land, rendering the petitioner's suit infructuous. The Trial Court effectively decided the suit in favor of the respondent, leaving nothing to decide in the title suit. The Appellate Court failed to address this issue, making its decision appear perverse and arbitrary. Furthermore, both the Appellate Court and the Trial Court erred gravely by not weighing the possible outcome of the suit in favor of the petitioner, despite acknowledging a *prima facie* case. Consequently, the Appellate Court permitted illegal construction on the suit property without

proper assessment of the irreparable loss to the petitioner.

10. He further submitted that by the time the present petition was filed, the respondent had already completed the construction of the retaining wall and erected RCC pillars on the suit property with the intent to build permanent structures. Additionally, another retaining wall was constructed adjoining the approach road. The respondent appears intent on erecting a permanent building, which, if the suit is decided in the petitioner's favor, would alter the suit land's structure and cause irreparable loss and injury to the petitioner.

11. He also submitted that since the retaining wall was completed by the respondent before filing the petition. Further, both parties were directed to maintain the status quo regarding the suit property as per this Court order dated 31.05.2024. He further submitted that the purchase of the land from defendant No. 2 is undisputed, as defendant No. 2 admitted the sale in the written statement. Despite the learned Civil Judge (Sr.Div.), Kohima acknowledging a *prima facie* case in favor of the petitioner, the trial court rejected the request for a temporary injunction, citing potential greater damage to the respondent's adjacent business establishment if the injunction were granted. The respondent failed to provide evidence of such damage.

12. Mr. Iralu, learned counsel for the petitioner further pointed out that there was an oral agreement between the petitioner and respondent, paid only Rs. 50,000 towards it. Despite several requests, the respondent did not pay the balance amount, indicating a lack of readiness to fulfill the

terms of agreement. In this context, he relies on the decision passed by the Supreme Court reported in **1977 3 SCC 584 [Ranchhoda Chhaganlal vs. Devaji Supdu Dorik & Others]**, and he emphasized specifically on paragraphs 2, 3, 4, 7, and 15 of the said judgment which read as under;

2. The trial court by its judgment dated 24 June 1963 decreed the suit in favour of the appellant. The High Court reversed the judgment of the trial court.

3. The pre-eminent question in this appeal is whether the respondent has been ready and willing to perform the agreement entered into with the appellant. The case of the appellant is that there was an oral agreement for sale of property consisting of agricultural land admeasuring 23 acres approximately for a sum of Rs. 17000/-. The respondent from time to time paid Rs. 12000/- to the appellant. The respondent was also in possession of the property. The appellant called upon the respondent to pay the full amount of purchase price. The respondent failed to do so. The plaintiff, on respondent's refusal to perform the agreement, filed the suit.

4. In the suit the reliefs claimed were possession of the property and in the alternative a decree for Rs. 10,500/- consisting of the principal sum of Rs. 5000/- as the balance amount of purchase price and interest thereon amounting to Rs. 5500/-.

7. Counsel for the respondent contended that the suit of the appellant was not maintainable. It was said that the appellant was not competent to maintain the suit by reason of provisions contained in [sections 39](#) and [55](#) of the Indian Contract Act. The gist of the contention is that the appellant could not put an end to the contract if there was failure on part of the respondent to perform the agreement. The submission is fallacious. The case of the

appellant has always been that the respondent refused to perform the agreement. The appellant all along asserted that the agreement was that the property was agreed to be sold only for a sum of Rs. 17000/-. The respondent refused to Perform the agreement. The suit therefore was competent and valid.

15. For the foregoing reasons we are satisfied that the decree passed by the trial court was correct and the High Court was in error in reversing the decree. The High Court should not have reversed the decree particularly when it was found that the respondent failed first in regard to the agreement alleged by the defendant and second in allowing the decree in favour of the respondent on the plea of part performance of a contract which was never pleaded by the defendant/respondent and was not a contract upon which there could be any performance in part.

13. He further submitted that if the respondent is not restrained from continuing construction on the suit property, the purpose of filing the suit will become infructuous, if any permanent construction is erected on the property during the pendency of the suit. The petitioner also submitted photographs of the respondent's retaining wall, indicating that the construction is complete. Therefore, there is no urgency for further construction on the suit property and thus at this stage, both parties should be directed to maintain the status quo regarding the suit property until the final disposal of the case.

14. On the other hand, Mr. Kekhriengulie, learned counsel for the respondent, has submitted that the petition is not maintainable in its present form. He stated that the respondent has been residing on the suit land since 2003. After 21 years of possession, the petitioner, as the

plaintiff, filed Title Suit No. 1/2024 claiming rights, title, and interest over the property. The petitioner also filed an interlocutory application, being I.A.(C) No.8/2024 for a temporary injunction, and obtained an *ex-parte ad-interim* injunction vide order dated 27.03.2024. However, after considering all aspects of the case, the learned Civil Judge (Sr. Div.), Kohima, rejected the prayer for an *ad-interim* injunction and vacated it by order dated 17.04.2024. Against this order of rejection, the petitioner filed a Misc. Civil Appeal (MCA) Case No.2/2024 before the learned Principal District & Sessions Judge, Kohima, Nagaland, but, the said Court vide its impugned Judgment and Order dated 27.05.2024 upheld the order dated 17.04.2024.

15. He further submitted that the petitioner has not provided any written agreement for the sale of the property. It is an admitted fact that the respondent has been operating a hostel, bakery, and steel fabrication center on the suit land for the past 21 years. Additionally, it is acknowledged that the suit land belongs to DW-2, and there is no documentation to show that the petitioner purchased the land from defendant No. 2. The respondent claims that the land was purchased from defendant No. 2, and possession was handed over to her husband. A proper boundary wall was established with the presence of some elderly persons, and one portion of the land was allocated to a person named Labou Sakhrie to ensure peaceful co-existence with neighbors. This matter was settled, and a document regarding the land was prepared by defendant No. 2, with the witnesses to the agreement are still alive.

16. It is further submitted that the petitioner, who is a sister of the respondent, frequently visited the respondent's house without making any claim over the property or the suit land. Even during the construction of the hostel, bakery, and steel fabrication center, the petitioner did not raise any objections. These developments have been ongoing since 2003, and the respondent has been in exclusive possession of the suit land, having constructed the aforementioned facilities without any objections from any party.

17. Mr. Kekhriengulie, learned counsel for the respondent, has submitted that on 03.05.2005, an agreement was executed by Defendant No. 2 in favor of the present respondent/Defendant No. 1. This agreement involved the transfer of an additional plot of land in favor of the present respondent. The agreement was executed in the presence of several elderly persons. He further emphasized that since 2003, the respondent has been in possession of the suit land, where she has been running a hostel, bakery, and steel fabrication center, along with other businesses. Additionally, it is pointed out that paragraph 25 of the order passed by the learned Civil Judge (Sr. Div.), Kohima in IA (C) No. 8/2024, arising out of Title Suit No. 1/2024, discusses the establishment of a *prima facie* case. However, the learned Trial Court correctly held that the claims of both the petitioner and the respondent regarding the suit property need to be decided, and there are substantial questions of law to be determined in the present suit. Although the Trial Court found a *prima facie* case, it concluded that the petitioner/plaintiff had not demonstrated irreparable loss or balance of convenience to warrant an interim injunction in I.A.(C)

case No. 8/2024.

18. In addition to his submission, he relies on the decision of the Supreme Court passed in the case of ***Dalpat Kumar & Anr. vs. Prahlad Singh & others***, reported in ***1992 1 SCC 719***, wherein, the Supreme Court expressed the view that merely establishing a *prima facie* case is insufficient to grant an injunction. The Court must also be satisfied that there is irreparable harm and that the balance of convenience lies in favor of the petitioner. He specifically emphasized on paragraph 5 of the said judgment which read as under:

5. Therefore, the burden is on the plaintiff by evidence aliunde by affidavit or otherwise that there is "a prima facie case" in his favour which needs adjudication at the trial. The existence of the prima facie right and infringement of the enjoyment of his property or the right is a condition for the grant of temporary injunction. Prima facie case is not to be confused with prima facie title which has to be established, on evidence at the trial. Only prima facie case is a substantial question raised, bona fide, which needs investigation and a decision on merits. Satisfaction that there is a prima facie case by itself is not sufficient to grant injunction. The Court further has to satisfy that non-interference by the Court would result in "irreparable injury" to the party seeking relief and that there is no other remedy available to the party except one to grant injunction and he needs protection from the consequences of apprehended injury or dispossession. Irreparable injury, however, does not mean that there must be no physical possibility of repairing the injury, but means only that the injury must be a material one, namely one that cannot be adequately compensated by way of damages. The third condition also is that "the balance of convenience" must be in favour of granting injunction. The Court while granting or refusing to grant

injunction should exercise sound judicial discretion to find the amount of substantial mischief or injury which is likely to be caused to the parties, if the injunction is refused and compare it with that it is likely to be caused to the other side if the injunction is granted. If on weighing competing possibilities or probabilities of likelihood of injury and if the Court considers that pending the suit, the subject-matter should be maintained in status quo, an injunction would be issued. Thus the Court has to exercise its sound judicial discretion in granting or refusing the relief of ad interim injunction pending the suit.

19. In this context, Mr. Iralu, the learned counsel for the petitioner also relied in the case of ***Dalpat Kumar*** (*supra*), wherein, the Supreme Court expressed the view that “the comparative hardship or mischief or inconvenience which is likely to occur from withholding the injunction will be greater than that which would be likely to arise from granting it”. He particularly stressed paragraph 4 of the aforesaid judgment, which read as under:

4. Order 39, Rule 1(c) provides that temporary injunction may be granted where, in any suit, it is proved by the affidavit or otherwise, that the defendant threatens to dispossess the plaintiff or otherwise cause injury to the plaintiff in relation to any property in dispute in the suit, the court may by order grant a temporary injunction to restrain such act or make such other order for the purpose of staying and preventing... or dispossession of the plaintiff or otherwise causing injury to the plaintiff in relation to any property in dispute in the suit as the court thinks fit until the disposal of the suit or until further orders. Pursuant to the recommendation of the Law Commission clause(c) was brought on statute by Section 88(i)

(c) of the Amending Act 104 of 1966 with effect from February 1, 1977. Earlier thereto there was no express power except the inherent power under Section 151, C.P.C. to grant ad interim injunction against dispossession. Rule 1 primarily concerns with the preservation of the property in dispute till legal rights are adjudicated. Injunction is a judicial process by which a party is required to do or to refrain from doing any particular act. It is in the nature of preventive relief to a litigant to prevent future possible injury. In other words, the court in exercise of the power of granting ad interim injunction is to preserve the subject matter of the suit in the status quo for the time being. It is settled law that the grant of injunction is a discretionary relief. The exercise thereof is subject to the court satisfying that (1) there is a serious disputed question to be tried in the suit and that an act, on the facts before the court, there is probability of his being entitled to the relief asked for by the plaintiff/defendant; (2) the court's interference is necessary to protect the party from the species of injury. In other words, irreparable injury or damage would ensue before the legal right would be established at trial; and (3) that the comparative hardship or mischief or inconvenience which is likely to occur from withholding the injunction will be greater than that would be likely to arise from granting it."

20. The learned counsel for the respondent has submitted that the revisional court has limited jurisdiction while exercising power under Article 227 of the Constitution of India. In addition to this submission, he relies on the decision rendered by the Supreme Court in the case of ***Ouseph Mathai & Others vs. M. Abdul Khadir***, reported in **(2002) 1 SCC 319**. He basically emphasized on paragraphs 4 and 5 of the said judgment, which reads as under;

"4. It is not denied that the powers conferred upon the High Court under [Articles 226](#) and [227](#) of the Constitution are extraordinary and discretionary powers as distinguished from ordinary statutory powers. No doubt [Article 227](#) confers a right of superintendence over all courts and tribunals throughout the territories in relation to which it exercises the jurisdiction but no corresponding right is conferred upon a litigant to invoke the jurisdiction under the said Article as a matter of right. In fact power under this Article cast a duty upon the High Court to keep the inferior courts and tribunals within the limits of their authority and that they do not cross the limits, ensuring the performance of duties by such courts and tribunals in accordance with law conferring powers within the ambit of the enactments creating such courts and tribunals. Only wrong decisions may not be a ground for the exercise of jurisdiction under this Article unless the wrong is referable to grave dereliction of duty and flagrant abuse of power by the subordinate courts and tribunals resulting in grave injustice to any party.

5. In [Waryam Singh vs. Amarnath](#) [1954 SCR 565] this Court held that power of superintendence conferred by [Article 227](#) is to be exercised more sparingly and only in appropriate cases in order to keep the subordinate courts within the bounds of their authority and not for correcting mere errors. This position of law was reiterated in *Nagendra Nath Bose v. Commr. of Hills Division* [1958 SCR 1240]. In *Bhahutmal Raichand Oswal v. Laxmibai R. Tarta* [AIR 1975 SC 1297] this Court held that the High Court could not, in the guise of exercising its jurisdiction under [Article 227](#) convert itself into a court of appeal when the Legislature has not conferred a right of appeal. After referring to the judgment of Lord Denning in *R v. Northumberland Compensation Appeal Tribunal, Ex parte Shaw* [1952 (1) All ER 122, 128] this Court in [Chandavarkar Sita Ratna Rao v. Ashalata S. Gurnam](#) [1986 (4) SCC 447] held:

"20. It is true that in exercise of jurisdiction under [Article](#)

[227](#) of the Constitution the High Court could go into the question of facts or look into the evidence if justice so requires it, if there is any misdirection in law or a view of fact taken in the teeth of preponderance of evidence. But the High Court should decline to exercise its jurisdiction under [Articles 226](#) and [227](#) of the Constitution to look into the fact in the absence of clear and cut down reasons where the question depends upon the appreciation of evidence. The High Court also should not interfere with a finding within the jurisdiction of the inferior tribunal except where the findings are perverse and not based on any material evidence or it resulted in manifest injustice (see Trimbak Gangadhar Teland 1977 (2) SCC 437). Except to the limited extent indicated above, the High Court has no jurisdiction. In our opinion therefore, in the facts and circumstances of this case on the question that the High Court has sought to interfere, it is manifest that the High Court has gone into questions which depended upon appreciation of evidence and indeed the very fact that the learned trial Judge came to one conclusion and the Appellate Bench came to another conclusion is indication of the position that two views were possible in this case. In preferring one view to another of factual appreciation of evidence, the High Court transgressed its limits of jurisdiction under [Article 227](#) of the Constitution. On the first point, therefore, the High Court was in error."

21. Regarding maintainability, the learned counsel for the petitioner relied on a decision passed by the Co-Ordinate Bench of this Court in the case of ***Ek Saran Bhagawati Samaj & Anr. vs. Pratap Chandra Medhi & Ors.*** in ***CRP Case No. 138/2023*** decided on 14.03.2024. In the said case, this Court converted the proceeding from one under Section 115 of the Code of Civil Procedure to one under Article 227 of the

Constitution of India.

22. Mr. Kekhriengulie, learned counsel for the respondent, has submitted that the learned Civil Judge (Sr. Div.), Kohima and the learned Appellate Court had committed no error or mistake while passing the Judgment and orders dated 17.04.2024 and 27.05.2024 respectively. Thus, he submits that interference by this Court is unnecessary, as the orders were passed after considering that the respondent has been in possession of the land since 2003, where she operates a hostel, bakery, and steel fabrication center. He therefore, prays for the dismissal of the revision petition with costs.

23. After hearing After hearing the submissions of both parties, I have perused the impugned judgment dated 27.05.2024, passed by the learned Principal District & Sessions Judge, Kohima, in Misc. Civil Appeal No. 2/2024. This judgment affirmed the order dated 17.04.2024, passed by the learned Civil Judge (Sr. Div.), Kohima, in I.A.(C) 8/2024, which arose out of Title Suit No. 1/2024.

24. The petitioner, as the plaintiff, had initiated Title Suit No. 1/2024 before the learned Civil Judge (Sr. Div.), Kohima and filed an interlocutory application seeking a temporary injunction. The petitioner initially obtained an *ad-interim ex-parte* injunction through an order dated 27.03.2024. However, this injunction was later dismissed by the Trial Court on 17.04.2024. Subsequently, the petitioner filed Misc. Civil Appeal No. 2/2024 before the learned Principal District & Sessions Judge, Kohima, requesting the appointment of a commission to investigate the suit

property and assess the risk to the land. In its impugned Judgment dated 27.05.2024, the Appellate Court dismissed the appeal and upheld the order dated 17.04.2024 passed by the Trial Court.

25. It is an admitted fact that both the learned Civil Judge (Sr. Div.) and the Appellate Court found a *prima facie* case but held that the other two golden principles i.e, irreparable loss and balance of convenience do not lie in favor of the petitioner for granting an injunction to restrain the respondent from entering into the suit land or continuing construction. Both parties have claimed rights over the suit land. According to the petitioner, the land was purchased from Defendant No. 2. The petitioner and the respondent are biological sisters, and the petitioner had proposed to sale the plot to the respondent. But, the petitioner claims that the respondent did not pay the full sale consideration and only paid Rs. 50,000 through an oral agreement, with no written documentation. In contrast, the respondent asserts that the land was given to her by Defendant No. 2 and that she has been in possession since 2003, operating a hostel, bakery, and steel fabrication center. The respondent claims that the agreement was made with Defendant No. 2 and was settled amicably in the presence of elderly persons.

26. The learned Trial Court correctly discussed that while there is a *prima facie* case, the right to title and interest should be decided during the trial of the main suit. Regarding the golden principles of balance of inconvenience and irreparable loss, the learned Trial Court observed that any loss to the petitioner would not be of a nature that could not be

adequately compensated. The petitioner resides elsewhere, while the respondent has admittedly residing on the suit land and running a hostel, bakery, and steel fabrication center for the past 21 years. The Trial Court observed that granting an interim injunction would likely cause more harm to the respondent's established business and property than any potential injury to the petitioner. The Civil Judge (Sr. Div.) and the Appellate Court considered the Supreme Court Judgment in ***Dalpat Kumar*** (*supra*), which states that establishing a *prima facie* case alone is insufficient for granting an injunction if the principles of irreparable loss and balance of inconvenience do not lie in favor the petitioner. The petitioner's claim that the respondent did not pay the full sale consideration and that only Rs. 50,000 was paid on a verbal agreement, without written documentation, supports the conclusion that any loss to the petitioner could be compensated financially. Simultaneously, the petitioner admitted that the respondent's business operations and construction on the property would be affected if an injunction is granted.

27. In light of the above discussion and the circumstances of the case, this Court is of the considered opinion that the powers to be exercised under Article 227 of the Constitution of India are supervisory in nature. This Court's role is to examine whether the Subordinate Court acted within its jurisdiction, and the instant case does not present a situation where such supervisory powers should be exercised. In the considered opinion of this Court, the impugned Judgment dated 27.05.2024, passed by the learned Principal District and Sessions Judge, Kohima, in Misc. Civil Appeal

No. 2/2024, which affirmed the order dated 17.04.2024 passed by the learned Civil Judge (Sr. Div.), Kohima, in I.A.(C) 8/2024, does not suffer from any jurisdictional error or legal infirmity warranting interference by this Court. Consequently, this Court finds no merit in the instant revision petition, and the same stands dismissed.

28. Taking into account that both the parties are duly represented, they are directed to appear before the learned Trial Court on or before 17.09.2024 for further proceeding of the Title Suit. Further, the learned Trial Court is hereby asked to expedite the trial of the case.

29. In terms of above, this Civil revision petition stands disposed of. No costs.

JUDGE

Comparing Assistant