GAHC010070702019

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

Case No. :I.A.(Civil)/2652/2019

MIZAZUL HAQUE MAZUMDAR
S/O- LATE ALA UDDIN MAZUMDAR
R/O- VILL.- CHANDPUR
P.O. LAKHIPUR
DIST.- CACHAR
ASSAM
PIN- 783001.

VERSUS

MUJAMMIL HUSSAIN
S/O- LATE MAHAMMAD ALI
R/O- VILL.- DALUGRAM
P.O. LAKHIPUR
DIST.- CACHAR
ASSAM
PIN- 783001.

Advocate for : MR. L R MAZUMDER
Advocate for : appearing for MUJAMMIL HUSSAIN

LINKED CASE **RSA/164/2019**

MIZAZUL HAQUE MAZUMDAR
S/O- LATE ALA UDDIN MAZUMDAR, R/O- VILL.- CHANDPUR,
P.O. LAKHIPUR, DIST.- CACHAR, ASSAM, PIN- 783001.

VERSUS

MUJAMMIL HUSSAIN
S/O- LATE MAHAMMAD ALI, R/O- VILL.- DALUGRAM, P.O. LAKHIPUR, DIST.- CACHAR, ASSAM, PIN- 783001.

Advocate for the Petitioner : MR. L R MAZUMDER

Advocate for the Respondent :

BEFORE
THE HON'BLE MR. JUSTICE PRASANTA KUMAR DEKA
ORDER

21.12.2020.

Heard Mr. L. R. Mazumder, the learned counsel for the applicant.

This is an application under Order XLI Rule 5 of the CPC for stay of the impugned judgment and decree dated 20.12.2018 passed by the learned Civil Judge No. 1 Cachar at Silchar in Money Appeal No. 02/2017.

As the connected Second Appeal is already admitted, the operation of the impugned judgment and decree dated 20.12.2018 passed by the learned Civil Judge No. 1 Cachar at Silchar in Money Appeal No. 02/2017 is stayed subject to deposit of 50% of the total decreetal amount in the court of learned executing court of Munsiff at Lakhipur, Cachar at Silchar within a period of four weeks from today.

Accordingly this application stands disposed of.

JUDGE

Comparing Assistant