

GAHC010080462026



2026:GAU-AS:5882

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

Case No. : I.A.(Civil)/1311/2026

DR MAZAHARUL SULTAN
S/O. LT. RUSTOM ALI, R/O. VILL.- GOTLONG, MOUZA- BHAIKABPAD, P/S.
TERZPUR, DIST. SONITPUR, ASSAM.

VERSUS

THE STATE OF ASSAM AND ANR
REP. BY THE DEPUTY COMMISSIONER, SONITPUR, TEZPUR, MOUZA-
BHAIRABPAD, P/O. AND P/S. TEZPUR, DIST. SONITPUR, ASSAM, PIN-784001

2:THE CIRCLE OFFICER
TEZPUR REVENUE CIRCLE
MOUZA- MAHABHAIRAB
P/O. AND P/S. TEZPUR
DIST. SONITPUR
ASSAM
PIN-78400

Advocate for the Petitioner : MS. P SAHARIA, MR. P MAHANTA,C SARMA

Advocate for the Respondent : GA, ASSAM,

Linked Case : RSA/37/2026

DR MAZAHARUL SULTAN
S/O. LT. RUSTOM ALI
R/O. VILL.- GOTLONG
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Advocate for : MS. P SAHARIA
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND ANR.

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

29.04.2026

Heard Mr. P. Mahanta, learned counsel for the applicant and Mr. K. K. Bhattacharyya, learned Government Advocate, Assam, for all the opposite parties.

2. This interlocutory application, under Section 10, read with Order XLII, Rule 2 of the CPC, is preferred by the applicant for temporary suspension of the Order, dated 07.04.2026, passed by this Court in RSA No. 37/2026, so as to

enable the petitioner/appellant to prefer one Special Leave Petition (SLP) under Article 136 of the Constitution of India, before the Hon'ble Supreme Court.

3. Mr. Mahanta, learned counsel for the applicant submits that the applicant herein is contemplating to prefer one SLP before the Hon'ble Supreme Court and as such, the Order, passed by this Court, may be suspended, though, the provision quoted in the present application may not be applicable.

4. However, Mr. Bhattacharyya, learned Government Advocate for all the opposite parties submits that there is no requirement of suspension of the Order, dated 07.04.2026, as till expiry of the appellate period, the opposite parties herein will never take any step for execution of the decree.

5. On the assurance given by Mr. Bhattacharyya, learned Government Advocate for all the opposite parties, this interlocutory application stands closed.

JUDGE

Comparing Assistant