GAHC010144782024

2026:GAU-AS:16316

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

Case No. : CRP(IO)/399/2024

UNION OF INDIA AND ORS
REPRESENTED BY THE DIRECTOR GENERAL, DEPT. OF POST, MINISTRY OF COMMUNICATION AND INFORMATION TECHNOLOGY, DAK BHAWAN, NEW DELHI 110001

2: THE SUPERINTENDENT OF POST OFFICE

DIBRUGARH HEADPOST OFFICE
PO AND PS DIBRUGARH
ASSAM
786001
ASSAM

3: THE POST MASTER
DHEMAJI POST OFFICE
POSTAL DEPARTMENT
PO AND PS DHEMAJI ASSAM 78705

VERSUS

MANJU BANSAL
W/O SRI KRISHNA KUMAR BANSAL,
RESIDENT OF DHEMAJI TOWN, BLOCK NO. 4, PO AND PS DHEMAJI,
ASSAM 787057

Advocate for the Petitioner : MR. G PEGU,

Advocate for the Respondent : MR M GARODIA , MR S H SIKDAR

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 06-11-2026

Heard Learned CGC Mr. G. Pegu for the petitioners Union of India and learned counsel Mr. M. Garodia for the respondent.

2. This petition is filed under Article 227 of the Constitution of India as the petitioners are aggrieved by the order dated 11.10.2023 passed in Misc. (J) Case No. 06/2023 arising out of Title Suit No. 01 of 2019, pending before the Civil Judge (Jr. Division) No. 1, Dhemaji.

3. The petitioners are aggrieved by the order as the learned Trial Court vide order dated 11.07.2023 in connection with Title Suit No. 01/2019, rejected the petitioners' prayer to adduce the evidence of DWs as official witnesses.

4. It is submitted that this entire suit will be rendered infructuous if the DWs are not examined as witnesses. The petitioners preferred a review against the order dated 11.07.2023. Further, vide order dated 11.10.2023 in Misc (J) Case No. 06/2023 arising out of Title Suit No. 01/2019, the review petition of the petitioners was also rejected.

5. I have considered the submissions at the bar.

6. It submitted by the learned counsel for the respondent that this case was at the stage of argument. The proceeding of the Title Suit has been stalled since 11.10.2023.

7. Although the learned counsel for the respondent has objection, but it is submitted that for speedy disposal of Title Suit No. 01/2019, he has no objection if a last opportunity is accorded to the petitioners to examine the official witnesses, DWs.

8. It appears that a last opportunity may be accorded to the petitioners to examine the DWs i.e. the official witnesses. Thereby, the impugned order dated 11.10.2023 passed in Misc. (J) Case No. 06/2023 arising out of Title Suit No. 01 of 2019, pending before the Civil Judge (Jr. Division) No. 1, Dhemaji, is set aside and the petitioners are directed to examine the DWs. The Trial Court also is directed to make every endeavour to conclude the evidence of the witnesses as expeditiously as possible.

9. In terms of the above observation, this petition stands disposed of.

JUDGE

Comparing Assistant