GAHC010249422026

2026:GAU-AS:16726

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

**Case No. : CRP(IO)/584/2026**

DILIP KALITA AND ANR
S/O SRI JAGENDRA KALITA, R/O VILL- BHAGAWATIPARA, P.O.- BHAGAWATIPARA, P.S.- PALASHBARI, DIST- KAMRUP, ASSAM

2: GAUTAM KALITA
S/O SRI NAGEN KALITA
R/O VILL- TATIBAMA (NIRALPUR)
P.O.- AMRANGA
P.S.- PALASHBARI
DIST- KAMRUP
ASSA

VERSUS

MRS. MANO KALITA AND 9 ORS.
W/O LATE NANDA KALITA, R/O VILL- AMRANGA (TATIPARA), P.O.- AMRANGA, DIST- KAMRUP, ASSAM

2:SAURAV DAS
S/O SRI UPEN DAS
R/O VILL- GOPALPUR (MIRZA)
P.O.-MIRZA- 781125
P.S.- PALASHBARI
DIST- KAMRUP
ASSAM

3:SMTI. RUKMINI KALITA
W/O LATE UPEN KALITA
R/O VILL- AMRANGA (TATIPARA)
P.O.- AMRANGA
DIST- KAMRUP
ASSAM

4:LAKHIRAM KALITA

S/O LATE DHARMESWAR KALITA
R/O VILL- AMRANGA (TATIPARA)
P.O.- AMRANGA
DIST- KAMRUP
ASSAM

5:LANKESWAR KALITA
S/O LATE KAMLESWAR KALITA
R/O VILL- AMRANGA (TATIPARA)
P.O.- AMRANGA
DIST- KAMRUP
ASSAM

6:AJIT KALITA
S/O LATE KAMLESWAR KALITA
R/O VILL- AMRANGA (TATIPARA)
P.O.- AMRANGA
DIST- KAMRUP
ASSAM

7:MAHENDRA KALITA
S/O LATE SANESWAR KALITA
R/O VILL- AMRANGA (TATIPARA)
P.O.- AMRANGA
DIST- KAMRUP
ASSAM

8:MADAN KALITA
S/O LATE NAGEN KALITA
R/O VILL- AMRANGA (TATIPARA)
P.O.- AMRANGA
DIST- KAMRUP
ASSAM

9:DULAL KALITA
S/O LATE NAGEN KALITA
R/O VILL- AMRANGA (TATIPARA)
P.O.- AMRANGA
DIST- KAMRUP
ASSAM

10:JYOTISH KALITA
S/O LATE BHUPIN KALITA
R/O VILL- AMRANGA (TATIPARA)
P.O.- AMRANGA
DIST- KAMRUP
ASSA

**Advocate for the Petitioner** : MS. KABERI K DAS, MR. SAHIL AHMED,MR. RITUPAM MALI

**Advocate for the Respondent** : ,

**:: BEFORE ::**

**HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

**O R D E R**

**13.11.2026**

Heard Mr. R. Mali, the learned counsel appearing for the petitioners.

**2.** This is an application under Article 227 of the Constitution of India challenging the order dated 15.10.2026 passed by the learned Civil Judge (Jr. Divn.), Amingaon, Kamrup in Misc.(J) Case No.184/2026 praying for exercising the supervisory jurisdiction of this Court. The petitioners have prayed for early hearing of the injunction petition.

**3.** On 15.09.2026, an order of injunction under Order 39 Rule 1 and 2 of the Civil Procedure Code (CPC) was passed without giving notice to the present petitioners. After passing of the said order, direction was issued to issue notice to the present petitioners and the matter was fixed on 15.10.2026. On that date, the present petitioners appeared and field a written objection. Some notices upon some of the opposite parties were not served and therefore, the court directed to reissue notices and the case was proceeded 12.01.2027.

**4.** The Order 39 Rule 3A of the CPC provides that when an injunction has been granted without giving notice to the opposite party, the court shall make an endeavour to finally dispose of the application within 30(thirty) days from the date on which the injunction was granted and where the court is unable so to do, it shall record its

reasons for such inability.

**5.** In the case in hand, the aforesaid provision was not complied with. Therefore, this Court is of the opinion that the supervisory jurisdiction of this Court is required to be exercised. The trial court is directed to make an endeavour to dispose of the injunction petition within the year of 2026.

With the aforesaid direction, the prevent revision petition is disposed of.

**JUDGE**

**Comparing Assistant**