

GAHC010001622019



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

Case No. : RSA 78/2019

1: SMTI. RATNA CHAKRABORTY AND 3 ORS.
W/O- LATE SUSHIL KUMAR CHAKRABORTY,
R/O- LAKSHMI CHARAN ROAD, P.O. KARIMGANJ- 788711, DIST.-
KARIMGANJ, ASSAM.

2: SMTI. SUPRIYA CHAKRABORTY
D/O- LATE SUSHIL KUMAR CHAKRABORTY

R/O- LAKSHMI CHARAN ROAD
P.O. KARIMGANJ- 788711
DIST.- KARIMGANJ
ASSAM.

3: SMTI. RUPALI @ RUPASHREE CHAKRABORTY
D/O- LATE SUSHIL KUMAR CHAKRABORTY

R/O- LAKSHMI CHARAN ROAD
P.O. KARIMGANJ- 788711
DIST.- KARIMGANJ
ASSAM.

4: SMTI. PURABI CHAKRABORTY
D/O- LATE SUSHIL KUMAR CHAKRABORTY
UPPER LABAN
P.O.- SHILLONG- 4
MEGHALAYA

VERSUS

1: SMTI. ARUNA CHAKRABORTY AND 4 ORS.
W/O- LATE SITANGSHU CHAKRABORTY,
R/O- SECTOR 3, QUARTER NO. C-30, P.O.- ROURKELLA- 769001, DIST.-
SUNDARGARH, ORISSA.

2:SRI SUBRANGSHU CHAKRABORTY
S/O- LATE SITANGSHU CHAKRABORTY

R/O- SECTOR 3
QUARTER NO. C-30
P.O.- ROURKELLA- 769001
DIST.- SUNDARGARH
ORRISA.

3:SRI SNEHANGSHU CHAKRABORTY
S/O- LATE SITANGSHU CHAKRABORTY

R/O- SECTOR 3
QUARTER NO. C-30
P.O.- ROURKELLA- 769001
DIST.- SUNDARGARH
ORRISA.

4:SRI SAMIRAN CHAKRABORTY
S/O- BINAPANI CHAKRABORTY

R/O- LAKSHMI CHARAN ROAD
P.O. KARIMGANJ- 788710
DIST.- KARIMGANJ
ASSAM.

5:SMTI. BINAPANI CHAKRABORTY
D/O- SURESH CHANDRA CHAKRABORTY

R/O- LAKSHMI CHARAN ROAD
P.O. KARIMGANJ- 788710
DIST.- KARIMGANJ
ASSAM

Advocate for the Petitioner : MR. N DHAR

Advocate for the Respondent :

**BEFORE
HONOURABLE MR. JUSTICE PRASANTA KUMAR DEKA**

ORDER

08.04.2019

Heard Mr. N. Dhar, the learned counsel for the appellants.

This second appeal is against the judgment and decree dated 26.09.2018 passed by the District Judge, Karimganj in Title Appeal No.11/1993 and the same is admitted on the following substantial question of law:-

“Whether the impugned judgment and decree dated 26.9.2018 passed by the learned appellate court below ignoring the pleadings in the plaint in the suit and thereby in setting aside the judgment and decree passed by the learned trial court in its entirety and accordingly disentitling the appellants/plaintiffs from other reliefs claimed in the suit have resulted in to perversity and failures of justice?”

Any other substantial questions of law those may be formulated at the time of hearing.

LCR be called for.

The appellants shall take steps both by way of Registered post with A/D and usual process within 3 (three) days from today returnable on 29.05.2019.

JUDGE

Comparing Assistant