

GAHC010012262016



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

Case No. : RSA/93/2016

SRI HAREN SARMA and 3 ORS
S/O LATE UMA SARMA

2: SRIMATI NILIMA DEVI
W/O SRI HAREN SARMA

3: DIPAK CH. SARMA
S/O SRI HAREN SARMA

4: DR. PRADIP SARMA
S/O SRI HAREN SARMA
R/O VILL. DHAPGURI
MOUZA-BHABGAON
P.S. SIKARHATI
P.S .MIRZA PALASBARI
DIST. KAMRUP
ASSAM

VERSUS

SRI NARAYAN MAHANTA and 2 ORS

2:MADHAB MAHANTA

3:HARKANTA MAHANAT
ALL ARE S/O LATE RAJEN MAHANTA
R/O SIKHARHATI
MOUZA-BHALA GAON
P.O. SIKHARHATI
P.S. MIRZA
DIST. KAMRUP
ASSAM

Advocate for the Petitioner : MR. SHEELADITYA

Advocate for the Respondent : MR S KHAN

**BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY**

ORDER

Date : 24.05.2023

Heard Mr. Sheeladitya, learned counsel for the appellant.

This second appeal was admitted by this Court on 30.03.2016 and records were called for, however, record of Title Suit No.173/2006 has not yet been received from the Court of learned Munsiff, Amingaon, though the lower courts record pertaining to Title Appeal No.94/2014 has been received. The record also reveals that since 20.12.2019, initially memos were issued calling the record by the Registry to the learned court of Munsiff No.2, however, as the records were transferred to Munsiff at Amingaon, requisitions were sent to the learned Munsiff in terms of order dated 06.12.2021 by this Court.

The record also reveals that reminders have been issued on 21.09.2022. However, no record has been sent from the office of learned Munsiff, Amingaon.

In that view of the matter registry to requisition the record forthwith from the Munsiff by issuing reminder and the Office of the learned Munsiff shall give an explanation as to why after issuance of reminders and requisition, records pertaining to title Suit 173/2006 has not been sent.

List this matter after 2 (two) weeks with report.

JUDGE

Comparing Assistant