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

Case No. : CRP(IO)/37/2026

SIRAJ UDDIN LASKAR
S/O LATE HASMOT ALI LASKAR, R/O VILL- MAMODPUR PART-I, P.O.-
RONGPUR SOUTH, P.S.- LALA, DIST- HAILAKANDI, ASSAM

VERSUS

JAMAL ALI LASKAR AND 2 ORS.
S/O LATE ABDUL WAHID LASKAR, R/O MOHAMMADPUR PART-I, P.S.-
LALA, DIST- HAILAKANDI, ASSAM, PIN-788163

2:MOIN UDDIN LASKAR
S/O LATE ABDUL WAHID LASKAR
R/O MOHAMMADPUR PART-I
P.S.- LALA
DIST- HAILAKANDI
ASSAM
PIN-788163

3:NOOR HUSSAIN LASKAR
S/O LATE ABDUL WAHID LASKAR
R/O MOHAMMADPUR PART-I
P.S.- LALA
DIST- HAILAKANDI
ASSAM
PIN-78816

Advocate for the Petitioner : MR M J QUADIR, MR S S ISLAM,MR. B.H.
TAPADAR,A.ISLAM,MS S AHMED,MR. A K HANNAN

Advocate for the Respondent : ,

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

18.02.2026

Heard Mr. M.J. Quadir, learned counsel for the petitioner.

2. This petition, under Article 227 of the Constitution of India read with Section 151 of the CPC, is directed against the judgment and order 26.11.2025, passed by the learned Additional District Judge, Hailakandi, in Misc. Appeal No. 06/2024, whereby the order dated 10.05.2024, passed by the learned Civil Judge (Senior Division), Hailakandi, in Misc. (J) Case No. 225/2023, arising out of Title Suit No. 129/2023, was set aside.

3. Perused the petition as well as the impugned judgment and order dated 26.11.2025.

4. Let notice be issued to the respondents, within a week from today, by speed post with A/D as well as by usual process, returnable in 4 weeks.

5. Mr. Quadir, learned counsel for the petitioner submits that the petitioner is in possession of the suit land and in his favour, the learned trial court had granted injunction. But, in the appeal, the learned appellate court had set aside the said injunction order by holding that the prima-facie case, balance of convenience and irreparable loss in favour of the respondents herein and thereafter, granted status-quo.

5.1. Referring to the inspection report, submitted by the Circle Officer before the learned appellate court, which is enclosed with the petition, as Annexure – 9, at page No. 78, which was furnished as per direction of the learned appellate court, Mr. Quadir submits that there is a clear finding of the Circle Officer that

the present petitioner is in possession of the suit land and in spite of the said report, the learned appellate court had illegally found the prima-facie case, balance of convenience and irreparable loss in favour of the respondents herein and granted status-quo. As such, Mr. Quadir has contended that the impugned judgment and order dated 26.11.2025, passed by the learned appellate court is required to be stayed till returnable date.

6. Having heard the submission of Mr. Quadir, learned counsel for the petitioner, I have carefully gone through the report, dated 27.01.2025, submitted by the Circle Officer before the learned appellate court and also gone through the finding so recorded by the learned appellate court in the impugned order dated 26.11.2025.

7. Accordingly, taking note of the submission of Mr. Quadir, learned counsel for the petitioner, especially taking into account the report submitted by the Circle Officer before the learned appellate court, the impugned judgment and order dated 26.11.2025, stands stayed till returnable date.

8. List the matter after 4 (four) weeks.

JUDGE

Comparing Assistant