

RSA 294/2014

BEFORE

HON'BLE MR JUSTICE P.K.SAIKIA

Heard Ms. R. Choudhury, learned counsel assisted for the appellants.

Perused the Memo of Appeal and the judgment under challenge.

Considering the submissions advanced, this appeal is admitted for hearing with the following substantial questions of law :-

(1) Whether the judgment and decree passed by the learned First Appellate Court is perverse for non-consideration of Order XLI Rule 31 of the CPC ?

(2) Whether the judgment and decree passed by the learned trial court is perverse in respect of the findings to remain the plaintiffs in possession, when their suit was dismissed and counter claim of defendants to evict the plaintiffs was allowed ?

Issue notice, returnable by 23.01.2015.

Call for records.

Steps by registered A/D post within 5 days from today.