

GAHC010033292026



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

Case No. : FAO/12/2026

BINOD HAZARIKA
S/O LATE BHUBAN HAZARIKA, R/O KHARGULI, GUWAHATI-04, KAMRUP
(M), ASSAM.

VERSUS

AJIT DAS
S/O LATE SARASWATI CHARAN DAS, R/O UZAN BAZAR, LAMB ROAD, JUR
PUKHURI PAR, GHY-01, KAMRUP (M), GUWAHATI, ASSAM.

Advocate for the Petitioner : MR. S P ROY, MR.T YADAV,MS. V RAI,JYOTISH DAS,MR. R
CHOUDHURY

Advocate for the Respondent : MR. R K BHUYAN (FOR CAVEATOR), N BHUYAN (FOR
CAVEATOR),MR A ZAMAN (FOR CAVEATOR)

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 20.02.2026

1. Heard Mr. S.P. Roy, learned counsel for the appellant. Also heard Mr. R.K. Bhuyan, learned counsel for the sole respondent.
2. This appeal under Order 43 Rule 1(r) of the CPC read with Section 151 of the CPC has been preferred by the appellant Sri Binod Hazarika, impugning the order dated 11.02.2026, passed in

Misc(J) Case No. 7/2026 arising out of Title Appeal No.31/2018 by the Court of District Judge, Kamrup(M), Guwahati, whereby, the First Appellate Court refused to grant any interim relief on an application moved by the present appellant under Order 39 Rule 1 and 2 of CPC read with Section 151 CPC and instead gave an opportunity to the respondents to file written objection and face the matter on 24.02.2026 for filing written objection as well as for objection hearing.

3. Issue notice. Since Mr. R.K. Bhuyan, learned counsel has already appeared for the sole respondent, no formal notice need to be issued.
4. Since the matter is listed after 4 (four) days in the trial Court, hence, at this stage, this Court does not intend to call for any records from the First Appellate Court.
5. Let this matter be listed again on 27.02.2026.

JUDGE

Comparing Assistant