

GAHC010033852026



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

Case No. : CRP(IO)/44/2026

MANGAL BISWAS AND ANR
SON OF DHARANI BISWAS, RESIDENT OF VILLAGE- BALISIHA HABI,
MOUZA- BARCHILAJHAR, POLICE STATION- ROWTA, DISTRICT-
UDALGURI, BTR, ASSAM.

2: SUNIL SHAH
SON OF DINDAYAL SHAH
RESIDENT OF DEURIGAON
GERUA
MOUZA- PUB SIALMARI
POLICE STATION- ROWTA
DISTRICT- UDALGURI
BTR
ASSA

VERSUS

PARSURAM DAS
SON OF LATE NRIPEN DAS, RESIDENT OF VILLAGE- BALISIHA HABI,
POLICE STATION- ROWTA, DISTRICT- UDALGURI, BTR, ASSAM.

Advocate for the Petitioner : MR. DITUL DAS, MR. B J TALUKDAR

Advocate for the Respondent : ,

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

18.02.2026

Heard Mr. D. Das, learned counsel for the petitioners.

- 2.** In this petition, under Article 227 of the Constitution of India read with Section 115 of the CPC, the petitioners have put to challenge the order dated 13.11.2025, passed by the learned Civil Judge (Junior Division), Udalguri, in Misc. (J) No. 50/2025, arising out of Title Suit No. 22/2022.
- 3.** It is to be noted here that vide impugned order dated 13.11.2025, the learned trial court had allowed the Petition No. 1200/2025, filed by the respondent, under Order VI Rule 16 and 17 of the CPC.
- 4.** Perused the petition as well as the documents placed on the record and also perused the impugned order dated 13.11.2025.
- 5.** Let notice be issued to the respondent, within two working days from today, by speed post with A/D and also by usual process, returnable in 2 weeks. Additionally, dasti service is also permitted.
- 6.** After effecting service upon the respondent, the petitioners shall file an affidavit before this Court to that regard.
- 7.** List the matter on 06.03.2026.

JUDGE

Comparing Assistant