

GAHC010040402018



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

Case No. : CRP(I/O) 56/2018

1:ABDUL GAFUR
R/O VILL HAIDOB, MOUZA- BATADRABA, DIST. NAGAON, ASSAM

VERSUS

1:AFIA KHATUN AND 7 ORS.
R/O VILL- HAIDOB, PO- KADAMONI, MOUZA- BATADRABA, DIST.
NAGAON, PIN-782122

2:AZIZUL HAQUE
S/O LT. NURUL ISLAM
R/O VILL- HAIDOB
PO- KADAMONI
MOUZA- BATADRABA
DIST. NAGAON
PIN-782122

3:AZAHARUDDIN
S/O LT. NURUL ISLAM
R/O VILL- HAIDOB
PO- KADAMONI
MOUZA- BATADRABA
DIST. NAGAON
PIN-782122

4:ALIZA KHATUN
D/O LT. NURUL ISLAM
R/O VILL- HAIDOB
PO- KADAMONI
MOUZA- BATADRABA
DIST. NAGAON
PIN-782122

5:ABU TAHER

S/O LT. ABDUL MOZID
R/O VILL- HAIDOB
PO- KADAMONI
MOUZA- BATADRABA
DIST. NAGAON
PIN-782122

6:MARIUM NESSA
D/O LT. ABDUL MOZID
R/O VILL- HAIDOB
PO- KADAMONI
MOUZA- BATADRABA
DIST. NAGAON
PIN-782122

7:MALIKA KHATUN
D/O LT. ABDUL MOZID
R/O VILL- HAIDOB
PO- KADAMONI
MOUZA- BATADRABA
DIST. NAGAON
PIN-782122

8:JOSNARA BEUMA
D/O LT. ABDUL MOZID
R/O VILL- HAIDOB
PO- KADAMONI
MOUZA- BATADRABA
DIST. NAGAON
PIN-78212

Advocate for the Petitioner : MR. R GOSWAMI

Advocate for the Respondent :

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

05.03.2018

Heard Mr. R. Goswami, learned counsel for the petitioner.

This Revision Petition is preferred against the order dated 28.08.2017

passed by the learned Civil Judge, Nagaon, Assam, rejecting the application filed by the petitioner under Order XXVI Rule 10-A of the Code of Civil Procedure. The petitioner has alleged fraud in the matter of service of summons in connection with Title Suit No.32/2000 whereby the suit has allegedly been decreed against the petitioner in respect of a plot of land belonging to him without proper service of summons.

Taking note of the nature of allegations made in the Revision Petition, I am inclined to examine the matter.

Issue notice returnable on 02.04.2018.

Steps by registered post with A/D for service of notice upon the respondents. Steps within two days from today. In addition, the petitioner to make dasti service of notice on the respondents, to be routed through the Registry of this Court and file an affidavit within a week.

Heard on the prayer of interim relief.

Having regard to the facts and circumstances of the case, it is provided that further proceedings in connection with M.J. Case No.41/2017 arising out of T. Ex. Case No.15/2014 pending in the Court of the Civil Judge, Nagaon, shall remain suspended till the next date.

List on 02.04.2018.

JUDGE

Comparing Assistant