

GAHC010042352023



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

Case No. : I.A.(Civil)/500/2023

JAMAT ALI
S/O LATE ABDUL AZIZ
RESIDENT OF VILLAGE DURAMARI
PO LALMATI
PS ABHAYAPURI
DIST BONGAIGAON ASSAM
783384

VERSUS

SHUDHANYA BARMAN AND ORS.
S/O LATE SURENDRA BARMAN
RESIDENT OF VILLAGE LALMATI
PS ABHAYAPURI
DIST BONGAIGAON ASSAM
783384

2:ADHIR CHANDRA BARMAN
S/O LATE SHIRISH CHANDRA BARMAN

RESIDENT OF VILLAGE CHONPUR RAILWAY STATION
WARD NO. 9
PO
PS AND DIST NALBARI
ASSAM 781335

3:SUDHIR CHANDRA BARMAN
S/O LATE SHIRISH CHANDRA BARMAN

RESIDENT OF VILLAGE BARSEVAN VITA ADHURIKARI

PS KHARIBARI
DIST DARJEELING
734427
4:TAJUDDIN PRAMANIK
S/O LATE SHAMATULLAH PRAMANIK

RESIDENT OF VILLAGE AND PO LALMATI
PS ABHAYAPURI
DIST BONGAIGAON ASSAM
783384
5:ANOWAR HUSSAIN

S/O ABDUL REZZAK
RESIDENT OF VILLAGE AND PO LALMATI
PS ABHAYAPURI
DIST BONGAIGAON ASSAM
783384
6:ON THE DEATH OF BASIR UDDIN SHEIKH
HIS LEGAL HEIRS AND LEGAL REPRESENTATIVE RAMENA BEGUM
W/O LATE BASIR UDDIN SHEIKH

RESIDENT OF VILLAGE AND PO LALMATI
PS ABHAYAPURI
DIST BONGAIGAON ASSAM
783384
7:ABDUL KORIM
S/O LATE BASIR UDDIN SHEIKH

RESIDENT OF VILLAGE AND PO LALMATI
PS ABHAYAPURI
DIST BONGAIGAON ASSAM
783384
8:RAHUL AMIN
S/O LATE BASIR UDDIN SHEIKH

RESIDENT OF VILLAGE AND PO LALMATI
PS ABHAYAPURI
DIST BONGAIGAON ASSAM
783384
9:BABITA AKTAR
D/O LATE BASIR UDDIN SHEIKH

RESIDENT OF VILLAGE AND PO LALMATI
PS ABHAYAPURI
DIST BONGAIGAON ASSAM
783384
10:BINIMA AKTAR
D/O LATE BASIR UDDIN SHEIKH

RESIDENT OF VILLAGE AND PO LALMATI
PS ABHAYAPURI
DIST BONGAIGAON ASSAM
783384
11:SRI SURYAKANTA BARMAN
S/O LATE BHOLANATH BARMAN

RESIDENT OF VILLAGE AND PO LALMATI
PS ABHAYAPURI
DIST BONGAIGAON ASSAM
783384
12:SMTI BASANTI BARMAN
W/O LATE BHOLANATH BARMAN

RESIDENT OF VILLAGE AND PO LALMATI
PS ABHAYAPURI
DIST BONGAIGAON ASSAM
783384
13:TAJNUR ISLAM
S/O LATE ABDUL AZIZ

RESIDENT OF VILLAGE BALARGUDAM
PO NASATRA
PS ABHAYAPURI
DIST BONGAIGAON
ASSAM
783384
14:ABDUL BATEN
S/O LATE AYEJ UDDIN

RESIDENT OF VILLAGE AND PO LALMATI
PS ABHAYAPURI
DIST BONGAIGAON ASSAM
783384
15:FAIJAL HAQUE
S/O MOHIBULLAH HAYATI

RESIDENT OF VILLAGE AND PO LALMATI
PS ABHAYAPURI
DIST BONGAIGAON ASSAM
783384

Advocate for : MR. B HALDAR
Advocate for : appearing for SHUDHANYA BARMAN AND ORS.

BEFORE
THE HON'BLE MR JUSTICE ARUN DEV CHOUDHURY
O R D E R

27. 02. 2023

Heard Mr. AC Sarma, learned Senior counsel assisted by Mr. B Haldar, learned counsel for the appellant.

This is an application under Order 41 Rule 5 of the Code of Civil Procedure for stay of judgment and order passed by the learned Civil Judge, Bongaigaon in Misc (J) case No. 6/2020 arising out of TA No. 01/2020 arising out of judgment and decree dated 27.02.2019 passed in TS No. 25/2014 by the learned Munsiff, North Salmara, Abhayapuri.

Issue notice, returnable on 10.04.2023.

Applicant to take steps upon the respondents by registered post with A/D and by usual process within a period of three days from today.

Till such return of notice, as an ad-interim measure the execution proceeding in Execution Case No. 07/2019 pending in the court of learned Munsiff, North Salmara, Abhayapuri shall remain stayed.

JUDGE

Comparing Assistant