

GAHC010046582026



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

Case No. : RSA/28/2026

RAMNATH DAS
S/O- LATE ROMEN DAS, R/O- VILL- PUB BILPATHAR GAON, P.S-
SARUPATHAR, DIST- GOLAGHAT, PIN-785601,
ASSAM

VERSUS

SUREN BHUYAN
S/O- LATE LAKHESWAR BHUYAN, R/O- VILL- NO-5 CHUGAJAN GAON, P.O
AND P.S- CHUNGAJAN, DIST- GOLAGHAT, ASSAM, PIN-785601

Advocate for the Petitioner : MR B DEORI, MR G BHARADWAJ

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 08.05.2026

Heard Mr. G. Bharadwaj, learned counsel appearing for the appellant.

By way of this Second Appeal under Section 100 of the Code of Civil Procedure, 1908 the appellant assails the Judgment and Decree dated 12.12.2025 passed by the learned Civil Judge (Sr. Division), Golaghat in Money

Appeal No.01/2025, whereby the Judgment and Decree dated 27.03.2025 passed by the learned Civil Judge (Sr. Division), Dhansiri, Golaghat in Money Suit No.05/2023 were affirmed.

Issue notice, returnable on 10.06.2026.

The appellant shall take steps for service of notice upon the sole respondent by speed post within 3 (three) working days.

The Appeal stands admitted on the following substantial question of law:

Whether a suit founded upon an unregistered document, allegedly creating a mortgage within the meaning of Section of 59 of the Transfer of Property Act, 1882, is maintainable in law?

Call for the records of Money Appeal No.01/2025 and Money Suit No.05/2023.

List accordingly.

JUDGE

Comparing Assistant