

GAHC010056782026



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

Case No. : CRP(IO)/96/2026

SMT. ANNA DEVI AND 2 ORS.
W/O LATE DURGESWAR NATH, R/O BARONOLIA, WARD NO. 4, TEZPUR
TOWN, P.O. AND P.S. - TEZPUR, DIST.- SONITPUR, ASSAM.

2: SMT NILAKSHI DEVI
D/O LATE DURGESWAR NATH
R/O BARONOLIA
WARD NO. 4
TEZPUR TOWN
P.O. AND P.S. - TEZPUR
DIST.- SONITPUR
ASSAM.

3: SMT MINAKSHI DEVI
D/O LATE DURGESWAR NATH
R/O BARONOLIA
WARD NO. 4
TEZPUR TOWN
P.O. AND P.S. - TEZPUR
DIST.- SONITPUR
ASSAM

VERSUS

SUMITA PAREEK AND ANR
W/O KAMAKHYA PAREEK, R/O L.D. SARMA ROAD, WARD NO. 10, TEZPUR
TOWN, P.O. AND P.S. - TEZPUR, DIST.- SONITPUR, ASSAM.

2:KAMAKHYA PAREEK
S/O LATE SARNALAL PAREEK
R/O L.D. SARMA ROAD
WARD NO. 10
TEZPUR TOWN
P.O. AND P.S. - TEZPUR

DIST.- SONITPUR
ASSAM

Advocate for the Petitioner : MR P KALITA, J THAKURIA

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 25.03.2026

Heard Mr. P. Kalita, learned counsel appearing for the petitioners.

By way of this petition under Article 227 of the Constitution of India, the petitioners are assailing the impugned order dated 28.01.2026 passed in Petition No. 352/25 and Petition No. 353/25 arising out of the Title Appeal No. 05/2024 passed by the learned Court of Additional District Judge, Sonitpur, Tezpur.

The case of the petitioners is that they were unaware of the appeal proceedings in the Title Appeal No. 05/2024 and it was only when the Title Execution Case being No. 49/2024 was filed, they came to know of the same.

Mr. P. Kalita, learned counsel appearing for the petitioners submits that the summons has not been served upon the petitioners for which the petitioners were unaware of the aforesaid proceedings.

It appears from the impugned order dated 28.01.2026 that the postal track record reveals that the item was delivered upon the petitioners on 30.09.2024.

Be that as it may, issue notice, returnable on 06.05.2026.

Let steps be taken for service of notice upon the respondents with A/D, by speed post within a period of 3 (three) working days from today.

Issue notice on the interim prayer as well.

Re-list the matter accordingly.

JUDGE

Comparing Assistant