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

Case No. : CRP(IO)/94/2026

MOIRANGTHEM DEB SINGH MEMORIAL ACADEMY (SCHOOL)
REPRESENTED BY ITS PROPRIETOR CUM SECRETARY, MRS. PH. RUTH
JOAN SINGHA, AGED 49 YEARS, WIFE OF PH. MANIDHON SINGHA MAJOR
(RETD.), VILLAGE- BINNAKANDI PART- II, P.S.- LAKHIPUR, DISTRICT-
CACHAR, ASSAM, PIN- 788126.

VERSUS

EMMANUEL ENGLISH H.S. SCHOOL, PAILAPOOL
REPRESENTED BY ITS SECRETARY, URIREI SINGH, WIFE OF MR. N. GOBIN
SINGH, RESIDENT OF VILL- NAYAGRAM, P.O.- FULERTAL, P.S.- LAKHIPUR,
DISTRICT- CACHAR, ASSAM, PIN- 788103.

Advocate for the Petitioner : MR. D CHAKRABARTY, MS D.CHAKRABARTY

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 25.03.2026

Heard Mr. D. Chakrabarty, learned counsel appearing for the
petitioner.

By way of this petition under Article 227 of the Constitution of
India, the petitioner is assailing the order dated 26.02.2026 passed by
the learned Court of Civil Judge (Senior Division) No. 1, Cachar, Silchar

in Misc. (J) Case No. 182/2022 arising out of Title Suit No. 129/2022, whereby the learned trial Court stayed further proceedings of the Misc. (J) Case No. 182/2022 until further orders in view of the stay of further proceedings in the main title suit as per the order dated 12.12.2025 passed by this Court in CRP(I/O) No. 503/2025.

Mr. D. Chakrabarty, learned counsel appearing for the petitioner submits that any stay of the main suit would not automatically stay the counter claim in terms of Order VIII Rule 6D of the CPC.

Issue notice, returnable on 05.05.2026.

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

Interim order shall be considered on the next date of listing.

Re-list the matter accordingly.

JUDGE

Comparing Assistant