

GAHC010059342026



undefined

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

Case No. : I.A.(Civil)/1109/2026

SMT KALPANA DAS
W/O SHRI BHABANANDA GOGOI
D/O LATE RAMADHAR RAM DAS
GRAND DAUGHTER OF LATE DEVI PRASAD DAS
R/O TINKUNIA WARD
P.O.
P.S. AND DISTRICT- DIBRUGARH
ASSAM

VERSUS

BISWA BIJOY DAS AND 2 ORS.
SON OF LATE BHAGWATI PRASAD DAS
RESIDENT OF TINKUNIA WARD
P.O.
P.S. AND DISTRICT- DIBRUGARH
ASSAM

2:BISWA JYOTI DAS
SON OF LATE BHAGWATI PRASAD DAS
RESIDENT OF TINKUNIA WARD
P.O.
P.S. AND DISTRICT- DIBRUGARH
ASSAM

3:SMT ARPANA DAS
DAUGHTER OF LATE BHAGWATI PRASAD DAS
RESIDENT OF TINKUNIA WARD
P.O.
P.S. AND DISTRICT- DIBRUGARH
ASSAM

Advocate for : MR. S P ROY
Advocate for : appearing for BISWA BIJOY DAS AND 2 ORS.

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

07.05.2026

Heard Mr. S P Roy, learned counsel for the appellant.

The connected second appeal assailing the judgment and decree dated 09.12.2025 passed by the learned Civil Judge (Senior Division), Dibrugarh in Title Appeal No. 32/2011, has already been admitted by this Court upon framing the substantial questions of law by order dated 07.05.2026.

It is submitted that the applicant is in possession of the suit land and if during the pendency of the second appeal, the operation of the impugned judgment and decree dated 09.12.2025 passed by the learned Civil Judge (Senior Division), Dibrugarh in Title Appeal No. 32/2011 is not stayed, the same will have serious civil consequences and the applicant will suffer irreparable loss and injury which cannot be measured and compensated in terms of money.

Issue **Notice**, returnable by **11.06.2026**.

Appellant shall take steps for service of notice upon the respondents by Speed Post, within three working days from today.

List accordingly.

Till the returnable date, the operation of the impugned judgment and decree dated 09.12.2025 passed by the learned Civil Judge (Senior Division), Dibrugarh in Title Appeal No. 32/2011 shall remain suspended.

JUDGE

Comparing Assistant