

GAHC010072842025



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

Case No. : Tr.P.(C)./19/2025

TOLAN CH GOGOI ALIAS TULAN CHANDRA GOGOI AND ANR
S/O LT MAHESWAR GOGOI R/O VILLAGE KATAKICHUK NOWBOICHA, PO
DOOLAHAT, PS NORTH LAKHIMPUR, DISTRICT LAKHIMPUR, ASSAM

2: RAMANI GOGOI ALIAS RAMANI BALA SAIKIA
W/O TULAN CHANDRA GOGOI R/O VILLAGE KATAKICHUK NOWBOICHA
PO DOOLAHAT
PS NORTH LAKHIMPUR
DISTRICT LAKHIMPUR
ASSAM PIN 78702

VERSUS

THE DISTRICT COMMISSIONER AND ORS
TINSUKIA, ASSAM PIN 786125

2:THE PRINCIPAL CHIEF CONSERVATOR OF FOREST AND CHIEF WILDLIFE
WARDEN
ARANYA BHAWAN
PANJABARI
GUWAHATI 37
ASSAM

3:THE SUPERINTENDENT OF POLICE
TINSUKIA
TINSUKIA
ASSAM PIN 786125

4:K N DAS
AFS
DIVISIONAL FOREST OFFICER
TINSUKIA
WILDLIFE DIVISION
ASSAM 786125

5:K K DEURI
AFS
DIVISION FOREST OFFICER
DHEMAJI T DIVISION
DHEMAJI

6:SANJAY DAS
S/O LT DHANANJOY DAS R/O ANANDA NAGAR
GUIJAN
PO RANGAGARA
PS TINSUKIA
DISTRICT TINSUKIA
ASSAM 786147

7:BRAJEN BORGOHAIN
C/O SUPERINTENDENT OF POLICE
S/O LT KIRAN BORGOHAIN ASI GUIJAN POLICE OUT POST
PS TINSUKIA
DISTRICT TINSUKIA
ASSAM PIN 78612

Advocate for the Petitioner : MS. S G BARUAH, MR. S NEOG,MR B SAIKIA,MR. B BORGOHAIN

Advocate for the Respondent : GA, ASSAM, SC, FOREST

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 07.04.2025

Heard Mr. S. G. Baruah, learned counsel for the petitioners. Also heard Mr. T. R. Gogoi, learned counsel for the respondent Nos.1 & 3 and Mr. I. Kalita, learned counsel for the respondent No.2

2. This petition under Section 24 of the Code of the Civil Procedure, 1908, is preferred by the two petitioners for transferring of Title Suit Case No. 03/2024, pending before the Court of learned Civil Judge, (Senior Division), Tinsukia to

the Court of learned Civil Judge, (Senior Division), Lakhimpur, at North Lakhimpur.

3. Mr. Baruah, learned counsel for the petitioner submits that the two petitioners have instituted one title suit, being Title Suit No. 03/2024, before the Court of learned Civil Judge, (Senior Division), Tinsukia and the said suit is pending at the stage of framing of issues. Mr. Baruah, also submits that the both the petitioners were senior citizen and resides at Nowboicha in North Lakhimpur district and it is difficult for them to undertake the journey from Nowboicha to Tinsukia on each and every day and on such count, there is a requirement for transferring of the said suit from the Court of learned Civil Judge, (Senior Division), Tinsukia to the Court of learned Civil Judge, (Senior Division), Lakhimpur, North Lakhimpur

4. The submission of Mr. Baruah, learned counsel for the petitioner needs further consideration.

5. At this stage, notice be issued to the respondent, returnable in 4 (four) weeks. Steps be taken upon respondent by registered post with A/D and also by usual process within a week from today.

6. Interim prayer of the petitioner will be considered on the next date.

7. List the matter after 4(four) weeks.

JUDGE

Comparing Assistant