

GAHC010075812026



undefined

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

Case No. : CRP(IO)/156/2026

MAHESH PAYENG AND 20 ORS
S/O LATE GAGAN PAYENG, R/O KATHALGURI, MOUZA- NAOBOICHA,
DIST- LAKHIMPUR

2: NAGEN PAYENG
S/O LATE MAMAI PAYENG
R/O KATHALGURI
MOUZA- NAOBOICHA
DIST- LAKHIMPUR

3: MD. ANARUL HUSSAIN FAKIR
S/O MD. JAINAL ABEDIN FAKIR
R/O GARSIGA
MOUZA- NAOBOICHA
DIST- LAKHIMPUR
ASSAM

4: MD. AITUL ISLAM
S/O LATE HARMUZ ALI
R/O PANDHUA
MOUZA- NAOBOICHA
DIST- LAKHIMPUR
ASSAM

5: MD. IDRIS ALI
S/O LATE J ALI
R/O PANDHUA
MOUZA- NAOBOICHA
DIST- LAKHIMPUR
ASSAM

6: MD. KADIR
S/O SARIFUL
R/O BORSOLA

MOUZA- NAOBOICHA

7: MD. ABU SAHID
S/O OMAR ALI
R/O PANDHUA
MOUZA- NAOBOICHA

8: MD. JIYABUR RAHMAN
S/O INTAZ ALI
R/O GARSIGA

9: MD. NABI HUSSAIN
S/O RAFIKUL ISLAM
R/O MOHGHULI
MOUZA- NAOBOICHA

10: MD. MAZIBUR
S/O AYUB ALI
R/O BOORSOLA
MOUZA- NAOBOICHA

11: MD. RAKIBUR RAHMAN
S/O MD. MOFIZUL ISLAM
R/O PAB-CHARIALI
MOUZA- NAOBOICHA

12: MD. ATAUR RAHMAN
S/O NURUDDIN
R/O BORSOLA
MOUZA- NAOBOICHA

13: MD. TOFZUL ISLAM
S/O MD. ASMAT ALI
R/O PANDHUA
MOUZA- NAOBOICHA

14: MD. ANARUL ISLAM
S/O MD. CHOUBHAN HAZI
R/O QUWAIT
MOUZA- NAOBOICHA

15: MD. SARIFUL ISLAM
S/O MD. ABDUL MAZED
R/O PANDHUA
MOUZA- NAOBOICHA

16: MD. SAHIDUJ JAMAN FAKIR
S/O MD. FAKIR HUSSAIN

R/O PANDHUA
MOUZA- NAOBOICHA

17: MD. ABUL KALAM
S/O FAKIR HUSSAIN
R/O PANDHUA
MOUZA- NAOBOICHA

18: MD. SIRAZUL ISLAM
S/O ABDUL AHMED
R/O PANDHUA
MOUZA- NAOBOICHA
DIST- LAKHIMPUR
ASSAM

19: MD. NASIRUDDIN
S/O MD. NOOR ISLAM
R/O PANDHUA
MOUZA- NAOBOICHA
DIST- LAKHIMPUR
ASSAM

20: MD. SAHABUL ISLAM
S/O HARMUZ ALI
R/O PANDHUA
MOUZA- NAOBOICHA

21: MD. KHURSED ALAM
S/O HAIDER ALI
R/O PANDHUA
MOUZA- NAOBOICH

VERSUS

BROJEN DOELY AND 6 ORS
S/O LATE BANOMALI DOLEY, R/A GARSIGA, MOUZA- NAOBOICHA, P.O.-
NORTH LAKHIMPUR, DIST- LAKHIMPUR

2:LAKHESHWAR DOLEY
S/O LATE BANOMALI DOLEY
R/A GARSIGA
MOUZA- NAOBOICHA
P.O.- NORTH LAKHIMPUR
DIST- LAKHIMPUR

3:BOLIN DOLEY
S/O LATE BANOMALI DOLEY
R/A GARSIGA

MOUZA- NAOBOICHA
P.O.- NORTH LAKHIMPUR
DIST- LAKHIMPUR

4:DILIP DOLEY
S/O LATE BANOMALI DOLEY
R/A GARSIGA
MOUZA- NAOBOICHA
P.O.- NORTH LAKHIMPUR
DIST- LAKHIMPUR

5:PRABIN DOLEY
S/O LATE BANOMALI DOLEY
R/A GARSIGA
MOUZA- NAOBOICHA
P.O.- NORTH LAKHIMPUR
DIST- LAKHIMPUR

6:RAJEN DOLEY
S/O LATE BANOMALI DOLEY
R/A GARSIGA
MOUZA- NAOBOICHA
P.O.- NORTH LAKHIMPUR
DIST- LAKHIMPUR

7:SUNIL DOLEY
S/O LATE BANOMALI DOLEY
R/A GARSIGA
MOUZA- NAOBOICHA
P.O.- NORTH LAKHIMPUR
DIST- LAKHIMPU

Advocate for the Petitioner : MR B KAUSHIK, P LHAMU,K BHARALI,MS A M DCOSTA,MR.
S HAZARIKA,MR. P BORAH

Advocate for the Respondent : ,

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

05.05.2026

Heard Mr. B. Kaushik, learned counsel for the petitioners.

In this petition, under Article 227 of the Constitution of India, the petitioners have challenged the Order, dated 07.01.2026, passed by the learned Civil Judge (Sr. Div.), Lakhimpur, in Title Suit No. 04/2024.

It is to be noted here that vide impugned order, dated 07.01.2026, the learned Civil Judge (Sr. Div.), Lakhimpur, has rejected the petition filed by the petitioners under Order XIV Rule 2 of the Code of Civil Procedure.

Perused the petition and the documents placed on record and also perused the impugned order, dated 07.01.2026.

Let notice be issued to the respondents, returnable in 3 (three) weeks.

Steps be taken by speed post and also by usual process, within a week from today.

The interim prayer of the petitioners will be considered on the next returnable date.

List this matter after **3 (three) weeks**.

JUDGE

Comparing Assistant