

GAHC010078252026



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

Case No. : CRP(IO)/138/2026

MD GOWHAR KHAN
S/O LATE AFSAR ALI KHAN @ LATE AFSAR KHAN,
RESIDENT OF WARD NO. 8, DR. ZAKIR HUSSAIN ROAD, DHUBRI TOWN,
DHUBRI, ASSAM 783301

VERSUS

SANOWAR HUSSAIN
S/O MD. PAUMUSA SHEIKH,
RESIDENT OF VILLAGE AND PO JURIGAON, PS LAKHIPUR, DIST
GOALPARA, 783330, ASSAM.
AND PRESENTLY RESIDING AT GUNA APARTMENT, LAKHMI NAGAR
PATH, HATIGAON, DISPUR GUWAHATI , DIST KAMRUP M ASSAM ASSAM

Advocate for the Petitioner : MS. B. HAZARIKA, MR. Z. HUSSAIN, S E MURTAZA, MS. R CHOUDHURY

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

24.04.2026

Heard Ms. R. Choudhury, learned counsel for the petitioner.

2. In this petition, under Article 227 of the Constitution of India read with Section 151 of the CPC, the petitioner has challenged the order dated

07.03.2026, passed by the learned Civil Judge (Senior Division), Dhubri, in Money Suit No. 06/2016.

3. It is to be noted here that vide impugned order dated 07.03.2026, the learned trial court has rejected the petition, bearing No. 1798/2026, filed by the petitioner herein, under Order VI Rule 18 of the CPC, seeking rejection of the proposed amendment/correction of the evidence of the respondent herein for failure to carry out such amendment within the prescribed time.

4. Perused the petition as well as the documents placed on record and also perused the impugned order dated 07.03.2026.

5. Let notice be issued to the respondent, within a week from today, returnable in 4 weeks, by speed post with A/D and also by usual process.

6. Though Ms. Choudhury, learned counsel for the petitioner submits that there is a requirement of staying the impugned order dated 07.03.2026, yet to a pointed query of this Court, Ms. Choudhury submits that amendment of pleadings and amendment of evidences are not same. Further, though Ms. Choudury submits that the provision of Order VI Rule 18 of the CPC will be applicable in the present case, yet the said submission left this Court unimpressed. Therefore, this Court is not inclined to grant any interim relief at this stage.

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

JUDGE

Comparing Assistant