

GAHC010086252026



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

Case No. : I.A.(Civil)/1435/2026

DAIBAKI DAS
W/O LATE CHANDRADHAR DAS, R/O ATHGAON, RANGMAHAL, P.O.-
RANGMAHAL, P.S.- CHANGSARI, DIST- KAMRUP, ASSAM, PIN-781030

2: ARABINDA DAS
S/O LATE CHANDRADHAR DAS
R/O ATHGAON
RANGMAHAL
P.O.- RANGMAHAL
P.S.- CHANGSARI
DIST- KAMRUP
ASSAM
PIN-781030

3: NARAYAN DAS
S/O LATE CHANDRADHAR DAS
R/O ATHGAON
RANGMAHAL
P.O.- RANGMAHAL
P.S.- CHANGSARI
DIST- KAMRUP
ASSAM
PIN-781030

4: KHARGESWAR DAS
S/O LATE CHANDRADHAR DAS
R/O ATHGAON
RANGMAHAL
P.O.- RANGMAHAL
P.S.- CHANGSARI
DIST- KAMRUP
ASSAM
PIN-781030

5: ANIL DAS
S/O LATE CHANDRADHAR DAS
R/O ATHGAON
RANGMAHAL
P.O.- RANGMAHAL
P.S.- CHANGSARI
DIST- KAMRUP
ASSAM
PIN-781030

6: NRIPEN DAS
S/O LATE KHAGEN DAS
R/O ATHGAON
RANGMAHAL
P.O.- RANGMAHAL
P.S.- CHANGSARI
DIST- KAMRUP
ASSAM
PIN-781030

7: PRADIP DAS
S/O LATE KHAGEN DAS
R/O ATHGAON
RANGMAHAL
P.O.- RANGMAHAL
P.S.- CHANGSARI
DIST- KAMRUP
ASSAM
PIN-781030

8: AKSHAY DAS
S/O LATE KHAGEN DAS
R/O ATHGAON
RANGMAHAL
P.O.- RANGMAHAL
P.S.- CHANGSARI
DIST- KAMRUP
ASSAM
PIN-781030

9: SMTI. DILUPI DAS
W/O LATE MATIRAM DAS
R/O ATHGAON
RANGMAHAL
P.O.- RANGMAHAL
P.S.- CHANGSARI
DIST- KAMRUP
ASSAM

PIN-781030

10: DEBOJYOTI DAS
S/O LATE MATIRAM DAS
R/O ATHGAON
RANGMAHAL
P.O.- RANGMAHAL
P.S.- CHANGSARI
DIST- KAMRUP
ASSAM
PIN-78103

VERSUS

BIPUL TAMULI
S/O LATE SRIDHAR TAMULI, R/O NAJIRAKHAT, RANGMAHAL, P.O.-
RANGMAHAL, P.S.- CHANGSARI, PIN-781030

2:KALPA JYOTI TAMULI
S/O LATE SHREEDHAR TAMULI
R/O NAJIRAKHAT
RANGMAHAL
P.O.- RANGMAHAL
P.S.- CHANGSARI
PIN-781030

3:RAJIB JYOTI TAMULI
S/O LATE SHREEDHAR TAMULI
R/O NAJIRAKHAT
RANGMAHAL
P.O.- RANGMAHAL
P.S.- CHANGSARI
PIN-78103

Advocate for the Petitioner : MR. S BANIK, SR. ADV., MS F BEGUM,T SARKAR

Advocate for the Respondent : MR N PATIRI,

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 06.05.2026

1. Heard Mr. S. Banik, learned senior counsel assisted by Ms. F. Begum, learned counsel for the applicant. Also heard Mr. N. Patiri, learned counsel for the

opposite party No. 1.

2. This application under Section 151 of the Code of Civil Procedure has been filed by the applicant in connection with FAO No. 22/2026.

3. The learned senior counsel for the applicant submits that in the connected FAO No. 22/2026, by order dated 24.03.2026, passed in the interlocutory application being I.A.(C) No. 932/2026, this Court directed both the parties to main *status quo* in respect of the suit property till next returnable date i.e., till 7th of April, 2026. Thereafter, on 7th of April, 2026, the interim order of *status quo* was extended till next date.

4. He further submits that next date of the connected FAO is fixed on 22nd of May, 2026. However, he submits that before the trial court, the Title Suit No. 68/2026 is fixed on 19th of May, 2026 along with connected Misc.(J) Cases and, therefore, he submits that since the orders passed in this appeal may have bearing in the pending title suit till the disposal of the connected FAO, the proceedings of Title Suit No. 68/2026 as well as connected Misc. cases before the trial court may be stayed.

5. Mr. N. Patiri, learned counsel for the opposite party No. 1 has not opposed the prayer subject to the maintenance of *status quo* in respect of the suit property by both the parties.

6. Since, the respondent No. 1 is the plaintiff before the trial court, whereas respondent Nos. 2 and 3 are only the proforma defendant in the said suit, notice to said opposite parties in this interlocutory application is waived.

7. Since, the respondent No. 1 has agreed to the prayer made by the learned senior counsel for the applicant, same is allowed.

8. The Title Suit No. 68/2026 along with Misc.(J) Case No. 85/2026 as well as Misc.(J) Case No. 102/2026 pending before the Court of learned Civil Judge (Senior Division), Kamrup, Amingaon shall remain stayed during the pendency of the FAO No. 22/2026 before this Court. Both parties shall maintain *status quo* in respect of the suit property, as was directed earlier, till disposal of the connected FAO.

9. This interlocutory application is accordingly disposed of.

JUDGE

Comparing Assistant