

GAHC010106212023



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

Case No. : CRP(IO)/145/2023

SMTI. PREMODA BARMAN AND 3 ORS
W/O LATE PRAMOD BARMAN, R/O VILL-SADILAPUR, P.O.-JALUKBARI,
DIST- KAMRUP (M), ASSAM, PIN-781012

2: NIKHIL BARMAN
S/O LATE PRAMOD BARMAN
R/O VILL-SADILAPUR
P.O.-JALUKBARI
DIST- KAMRUP (M)
ASSAM
PIN-781012

3: TAPAN BARMAN
S/O LATE PRAMOD BARMAN
R/O VILL-SADILAPUR
P.O.-JALUKBARI
DIST- KAMRUP (M)
ASSAM
PIN-781012

5: DIGANTA BARMAN
S/O LATE DHARMESWAR BARMAN
R/O VILL-SADILAPUR
P.O.-JALUKBARI
DIST- KAMRUP (M)
ASSAM
PIN-78101

VERSUS

JINTU DUTTA AND 3 ORS
S/O PHULESWAR DUTTA, R/O VILL-MADHUPUR DEMOW, BYELANE-4, P.O.
AND P.S.-SIVASAGAR, DIST-SIVASAGAR (ASSAM), PIN-785662

2:SMTI AMILA SINGHA
W/O SRI AJIT KUMAR SINGHA
R/O BHANGAGARH
SRIMANTAPUR
DIST-KAMRUP (M)
ASSAM
PIN-781006
GUWAHATI
P/R/A VIJAYA APARTMENT
HOUSE NO. 89 (BLOCK-C)
FLAT NO. 501
BARTHAKUR MILL ROAD
ULUBARI
DIST-KAMRUP (M)
ASSAM
PIN-781007
GUWAHATI

3:TILAK KALITA
S/O SRI PADMA RAM KALITA
R/O ADABARI
PANDAV NAGAR
DIST-KAMRUP (M)
ASSAM
PIN-781012
GUWAHATI

4:JADU RAM MALAKAR
S/O LATE BAKSHI RAM MALAKAR
R/O DHOLBOMA
GARCHUK
KALI MANDIR PATH
DIST-KAMRUP (M)
ASSAM
PIN-781035
GUWAHAT

Advocate for the Petitioner : PETITIONER IN PERSON, MR. S K DAS(P-1,2,3),MR A I TALUKDAR (P-1,2,3)

Advocate for the Respondent : MR. R K BHUYAN (r-2), MR P UPADHYAY (R-3),MR. B P KUMAR,MR A UPADHYAY,MR P UPADHYAY,MR. K LAHKAR (R-4),MR. I AHMED (R-4),R BISWAS (R-4),MR. M KASHYAP (r-2)

Linked Case : I.A.(Civil)/1285/2025

SMTI PREMODA BARMAN AND 4 OTHERS
W/O LATE PRAMOD BARMAN
R/O VILL-SADILAPUR
P.O.-JALUKBARI
DIST- KAMRUP (M)
ASSAM
PIN-781012

2: NIKHIL BARMAN
S/O LATE PRAMOD BARMAN
R/O VILL-SADILAPUR
P.O.-JALUKBARI
DIST- KAMRUP (M)
ASSAM
PIN-781012

3: TAPAN BARMAN
S/O LATE PRAMOD BARMAN
R/O VILL-SADILAPUR
P.O.-JALUKBARI
DIST- KAMRUP (M)
ASSAM
PIN-781012

4: SMTI BHARATI BARMAN
W/O LATE DHARMESWAR BARMAN
R/O VILL-SADILAPUR
P.O.-JALUKBARI
DIST- KAMRUP (M)
ASSAM
PIN-781012

5: DIGANTA BARMAN
S/O LATE DHARMESWAR BARMAN
R/O VILL-SADILAPUR
P.O.-JALUKBARI
DIST- KAMRUP (M)
ASSAM
PIN-781012
VERSUS

JINTU DUTTA AND 3 OTHERS
S/O PHULESWAR DUTTA
R/O VILL-MADHUPUR DEMOW
BYELANE-4

P.O. AND P.S.-SIVASAGAR
DIST-SIVASAGAR (ASSAM)
PIN-785662

2:SMTI AMILA SINGHA
W/O SRI AJIT KUMAR SINGHA
R/O BHANGAGARH
SRIMANTAPUR
DIST-KAMRUP (M)
ASSAM
PIN-781006
GUWAHATI
P/R/A VIJAYA APARTMENT
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GUWAHATI

4:JADU RAM MALAKAR
S/O LATE BAKSHI RAM MALAKAR
R/O DHOLBOMA
GARCHUK
KALI MANDIR PATH
DIST-KAMRUP (M)
ASSAM
PIN-781035
GUWAHATI

Advocate for the petitioner(s): Mr. D Barman (Petitioner-in-Person)

Mr. SK Das

Advocate for the respondent(s): Mr. P Upadhayay
Mr. RK Bhuyan

B E F O R E
HON'BLE MR. JUSTICE DEVASHIS BARUAH

ORDER

25.04.2025

Mr. SK Das the learned counsel appearing on behalf of the petitioner Nos.1, 2, 3 and 5 submits that he has been recently engaged in this matter and there is an inadvertent error in not enclosing the application filed under Order XXIII Rule 1(3) on the basis of which the impugned order was passed. He, therefore, submits that a week's time may be granted to bring on record by way of an additional affidavit the application filed for withdrawal of the suit as well as any objection filed there against.

2. List the matter on 05.05.2025.

JUDGE

Comparing Assistant