

GAHC010120852026



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

Case No. : FAO/37/2026

BAKUL DAS AND 2 ORS.
SON OF LATE HARMOHAN DAS, RESIDENT OF NALAPARA, SAWKUCHI,
SAUKUCHI, KAMRUP (M), ASSAM

2: ABHIJIT DAS
SON OF LATE HARMOHAN DAS
RESIDENT OF NALAPARA
SAWKUCHI
SAUKUCHI
KAMRUP (M)
ASSAM

3: TUTU DAS
SON OF LATE HARMOHAN DAS
RESIDENT OF NALAPARA
SAWKUCHI
SAUKUCHI
KAMRUP (M)
ASSA

VERSUS

SADHAN DAS AND 5 ORS.
SON OF LATE RATHINDRA KUMAR DAS, RESIDENT OF VAISALI HOUSING
SOCIETY OF CO. OPERATIVE, FLAT NO. B-2, SANTIRAM DAS PATH,
RIHABARI, GUWAHATI-08, DISTRICT-KAMRUP (M), ASSAM, PIN- 781008.

2:SANJIT RAM PHUKAN
SON OF LATE AMIYA RAM PHUKAN
RESIDENT OF FLAT NO. D-2
MANDOVI APARTMENT
AMBARI
G.N.B. ROAD
KAMRUP (M)

GUWAHATI- 781001.

3:RANJIT RAM PHUKAN @ RANJIT PHUKAN
SON OF LATE AMIYA RAM PHUKAN
RESIDENT OF 4848 LOWREY ROAD
DAKLAND
C-94605
USA. REPRESENTED BY HIS ATTORNEY HOLDER
SRI SANJIT RAM PHUKAN

4:SMTI. NIRUPAMA DAS
WIFE OF BHABEN DAS
RESIDENT OF BETKUCHI
LOKHARA
NEAR LOKHARA CHARIALI
LOKHARA- REHABARI ROAD
P.O.- SAWKUCHI
GUWAHATI-40
DISTRICT- KAMRUP (M)
ASSAM

5:ANUP KUMAR AGARWALA
SON OF SRI MEGHRAJ AGARWALA
R/O UNIQUE HEIGHTS
RUKMINI NAGAR
S.K. BARUAH ROAD
DIST- KAMRUP (M)
GUWAHATI
ASSAM
PIN- 781006

6:MANISH AGARWALA
SON OF SRI MEGHRAJ AGARWALA
R/O UNIQUE HEIGHTS
RUKMINI NAGAR
S.K. BARUAH ROAD
DIST- KAMRUP (M)
GUWAHATI
ASSAM
PIN- 78100

Advocate for the Petitioner : MR. B K SEN, N HASAN,MS. J PAUL,MS B MAHANTA

Advocate for the Respondent : ,

**BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

ORDER

Date : 17.06.2026

Heard Mr. B. K. Sen, learned counsel appearing for the appellants.

Upon the issue of maintainability of the present FAO being pointed out by the Court, learned counsel for the appellants seeks leave to withdraw the appeal with liberty to avail such remedy as may be available in law.

The prayer is allowed.

Accordingly, the appeal stands dismissed as withdrawn, with liberty to the appellants to institute appropriate proceedings, if so advised and permissible in law.

JUDGE

Comparing Assistant