

GAHC010135492024



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

Case No. : CRP/124/2024

SANDESH KHAN

S/O- LATE NUR MOHAMMED, R/O- VILL.- KAKADHOWA, MOUZA-
GOMAFULBARI, P.S. TARABARI, DIST. BARPETA, ASSAM

VERSUS

NUR ISLAM KHAN AND 4 ORS

S/O- LATE RAHIZ KHAN, R/O- VILL.- BORAGDIA, MOUZA- NAGAON, P.S.
AND DIST. BARPETA, ASSAM

2:IMAN KHAN

S/O- LATE RAHIZ KHAN
R/O- VILL.- BORAGDIA
MOUZA- NAGAON
P.S. AND DIST. BARPETA
ASSAM

3:SALAMAT KHAN

S/O- LATE RAHIZ KHAN
R/O- VILL.- BORAGDIA
MOUZA- NAGAON
P.S. AND DIST. BARPETA
ASSAM

4:AKKABAR KHAN

S/O- LATE RAHIZ KHAN
R/O- VILL.- BORAGDIA
MOUZA- NAGAON
P.S. AND DIST. BARPETA
ASSAM

5:FAIZUDDIN

S/O- LATE JALAL BEPARI
R/O- VILL.- SONERTARI
MOUZA- CHENGA
P.S. TARABARI
P.O. PASCHIM MAZDIA
DIST. BARPETA
ASSAM
PIN- 781305

Advocate for the Petitioner : MD. B HUSSAIN, MR A H TOUFIQ

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 27.11.2024

Heard Mr. B. Hussain, learned counsel for the petitioner.

2. In this petition, under Section 115, read with Section 151 of the CPC, the petitioner has put to challenge the correctness or otherwise of the order dated 12.04.2024, passed by the learned Civil Judge (Junior Division) No. 2, Barpeta, in Misc. (J) Case No. 65/2023, arising out of Title Suit No. 38/2023.
3. It is to be noted here that vide impugned order dated 12.04.2024, the learned trial Court has allowed the petition No. 1028/2023, filed by the respondents herein and stayed the Title Suit No. 222/2022.
4. Perused the petition and the documents placed on record and also perused the impugned order dated 12.04.2024.
5. Let notice be issued to the respondents returnable in four weeks.
6. Steps be taken upon the respondents by way of registered post with A/D as well as by usual process within a week from today.
7. List the matter after four weeks.

8. Interim prayer of the petitioner will be considered upon appearance of the other side.

JUDGE

Comparing Assistant