

GAHC010166962025



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

Case No. : RSA/125/2025

SATISH CHANDRA DEB @DEBNATH
S/O. LT. DEBENDRA CHANDRA DEB @ DEBNATH, R/O. SANTINAGAR,
KOKRAJHAR TOWN, WARD NO. 3, P/O. AND P/S. KOKRAJHAR, DIST.
KOKRAJHAR, BTR, ASSAM

VERSUS

MAHESH CHANDRA DEB @ DEBNATH
S/O. LT. DEBENDRA CHANDRA DEB @ DEBNATH, R/O. SANTINAGAR,
KOKRAJHAR TOWN, WARD NO. 3, P/O. AND P/S. KOKRAJHAR BTR, ASSAM

Advocate for the Petitioner : MR. A BHATTACHARJEE, MR. R K BHUYAN, MS ANKITA SAHARIA, MS. K MALAKAR, MR S PAUL, MR. A BHATTACHARYA

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 08.08.2025

Heard Mr. A Bhattacharya, the learned counsel appearing for the appellant.

The Regular Second Appeal is admitted for hearing upon the following the substantial questions of law :-

“ 1. Whether the decree passed restraining the appellant from entering into the suit land when there is a clear evidence that since 1998, the appellant and his family members are in possession of the suit land that is after amicable partition ?

2. Whether the decree for recovery of possession being passed in respect of the suit land, the decree passed by the learned Appellant Court by granting permanent injunction to restrain the appellant/defendant from entering into the suit land is sustainable and tenable ?”

Issue notice to the sole respondent.

The appellant shall take steps for service of notice upon the sole respondent by registered post with A/D.

Call for the Trial Court record.

List after 4 (four) weeks.

The appellant shall be at liberty to raise any other substantial question of law at the time of hearing.

JUDGE

Comparing Assistant