

GAHC010187782023



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

**Case No. : I.A.(Civil)/2645/2024**

KANCHAN BALA DAS AND 4 ORS  
W/O LATE SANURAM DAS  
VILL.- PADMAPUR  
P.O.- KAJALGAON  
P.S.- SIDLI  
DIST.- CHIRANG  
ASSAM  
PIN- 783385.

2: KSHITISH CH. DAS @ KHITISH DAS  
S/O LATE MAKHAN LAL DAS  
VILL.- PADMAPUR  
P.O.- KAJALGAON  
P.S.- SIDLI  
DIST.- CHIRANG  
ASSAM  
PIN- 783385.

3: GOLAP DAS  
S/O LATE MAKHAN LAL DAS  
VILL.- PADMAPUR  
P.O.- KAJALGAON  
P.S.- SIDLI  
DIST.- CHIRANG  
ASSAM  
PIN- 783385.

4: GEETA RANI DAS  
W/O CHARAN DAS  
D/O SANURAM DAS

VILL.- PADMAPUR  
P.O.- KAJALGAON  
P.S.- SIDLI  
DIST.- CHIRANG  
ASSAM  
PIN- 783385.

5: MINATI DAS  
W/O SWAPAN KR. DAS  
D/O LATE SANURAM DAS  
R/O HARIPUR  
P.O.- LALMATI  
P.S.- ABHAYAPURI  
DIST.- BONGAIGAON  
ASSAM  
PIN- 783384.

VERSUS

BINOD GOYARI AND 2 ORS. B  
S/O LATE BANURAM GOYARI  
VILL.- PADMAPUR  
P.O.- KAJALGAON  
DIST.- CHIRANG  
BTAD  
ASSAM  
PIN- 783394.

PRESENTLY RESIDING AT VILL.- POLSHBARI  
P.O.- KAJALGAON  
P.S.- SIDLI  
DIST.- CHIRANG  
BTAD  
ASSAM  
PIN- 783385.

2:SEWALI SUTRADHAR  
D/O LATE RABI LOCHAN SUTRADHAR  
VILL.- NAMALPUR  
P.O. AND P.S.- SIDLI  
DIST.- CHIRANG  
BTAD  
ASSAM  
PIN- 783373.

3:NIRANJAN SUTRADHAR  
S/O LATE UDAY SUTRADHAR  
VILL.- NAMALPUR  
P.O. AND P.S.- SIDLI  
DIST.- CHIRANG  
BTAD  
ASSAM  
PIN- 783373.  
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Advocate for : MR. M SARANIA  
Advocate for : MS R SAHA appearing for BINOD GOYARI AND 2 ORS. B

**BEFORE  
HONOURABLE MR. JUSTICE ROBIN PHUKAN  
ORDER**

**06.11.2024**

Heard Mr. S. Saikia, learned counsel for the applicants and Mr. B.J. Mukherjee, learned counsel for the opposite party No. 1.

**2.** This application, under Order 41 Rule 5 of the C.P.C., is preferred by the applicants for staying the operation of the Judgment and Decree dated 17.09.2022, passed by the learned Civil Judge, Chirang at Kajalgaon, in Title Suit No. 16/2021.

**3.** It is to be noted here that vide Judgment and Decree dated 17.09.2022, the learned Civil Judge, Chirang at Kajalgaon has decreed the counter claim of the defendants.

**4.** Let notice be issued to the respondents, within three days from today, returnable on 18.11.2024, by registered post with A/D and also by usual process. As Mr. Mukherjee has appeared and accepted notice on behalf of the opposite party No. 1, no formal notice is required to be issued. However, extra requisite copy of the appeal be furnished to him during the course of the day.

- 5.** List the matter on 18.11.2024.
- 6.** In the meantime, Mr. Mukherjee, learned counsel for the opposite party No. 2 may file objection if so advised.

**Comparing Assistant**

**JUDGE**