

GAHC010198482024



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

**Case No. : CRP(IO)/432/2024**

PARTHA KUMAR PAUL AND 3 ORS.

S/O- SRI PRABODH CHANDRA PAUL, R/O- FLAT NO. 2C, 2ND FLOOR, JOYS  
PLAZA, BANFOOL NAGAR PATH, HOUSEFED, BELTOLA ROAD,  
GUWAHATI-781006, P.O. ASSAM SACHIVALAYA, P.S. DISPUR, DIST.  
KAMRUP(M), ASSAM

2: RUPAM DAS

S/O- SRI BIRENDRA KUMAR DAS  
R/O- FLAT NO. 4C  
4TH FLOOR  
JOYS PLAZA  
BANFOOL NAGAR PATH  
HOUSEFED  
BELTOLA ROAD  
GUWAHATI-781006  
P.O. ASSAM SACHIVALAYA  
P.S. DISPUR  
DIST. KAMRUP(M)  
ASSAM

3: RUHINI KUMAR BARUAH

S/O- LATE GIRISH CHANDRA BARUAH  
R/O- FLAT NO. 3A  
3RD FLOOR  
JOYS PLAZA  
BANFOOL NAGAR PATH  
HOUSEFED  
BELTOLA ROAD  
GUWAHATI-781006  
P.O. ASSAM SACHIVALAYA  
P.S. DISPUR  
DIST. KAMRUP(M)  
ASSAM

4: NARAYAN TALUKDAR  
S/O- LATE LANKESWAR TALUKDAR  
R/O- FATASIL AMBARI  
GUWAHATI-781025  
P.O. FATASIL AMBARI  
DIST. KAMRUP(M)  
ASSA

VERSUS

TRIDEEP NARAYAN DEB AND ANR  
S/O- LATE DWIJENDRA NARAYAN DEB, R/O- FLAT NO. 1A, 1ST FLOOR,  
JOYS PLAZA, BANFOOL NAGAR PATH, HOUSEFED, BELTOLA ROAD,  
GUWAHATI-781006, P.O. ASSAM SACHIVALAYA, P.S. DISPUR, DIST.  
KAMRUP(M), ASSAM

2:M/S PRAGJYOTISH HOUSING PRIVATE LIMITED  
A COMPANY REGISTERED UNDER THE COMPANIES ACT  
1956  
HAVING ITS REGISTERED OFFICE AT AT 3RD FLOOR  
AVANTIKA  
NILAY  
ULUBARI BAZAR ROAD  
GUWAHATI-781007  
P.S. PALTANBAZAR  
DIST. KAMRUP(M)  
ASSAM  
REPRESENTED BY ITS DIRECTOR SMT. SHITAL JAIN

**Advocate for the Petitioner** : MR A CHOWDHURY,

**Advocate for the Respondent** : L K BORAH, FOR CAVEATOR

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

**ORDER**

**Date : 28.10.2024**

Heard Mr. A. Chowdhury, learned counsel for the petitioners and Mr. L.K. Borah learned counsel for the respondents.

By this petition under Article 227 of the Constitution of India read with Section 115 of the Code of Civil Procedure, the petitioners have put to challenge the correctness or otherwise of the impugned order dated 19.08.2024 passed by

the learned Civil Judge (Jr. Div.) No.2 Kamrup (Metro), at Guwahati vide petition No.61 dated 25.01.2021 upon which Misc(J) Case No.33/2021 is registered in Title Suit No. 122/2019.

It is to be noted here that vide impugned order dated 19.08.2024, the learned Trial Court has allowed the petition filed by the respondent No.1/plaintiff for amendment of the plaint under Order VI Rule 17 read with Section 151 of the Code of Civil Procedure.

Mr. Borah, learned counsel for the respondents submits that he may be granted some time to file objection and the matter may be finally dispose of.

Accordingly, it is provided that the Registry shall list the matter on 13.11.2024, on that day, an endeavour will be made to finally hear and dispose of the petition.

Interim prayer of the petitioner will be considered on the next date fixed.

**JUDGE**

**Comparing Assistant**