

GAHC010203582025



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

Case No. : CRP/123/2025

POWER GRID CORPORATION OF INDIA LIMITED
NER BADARPUR GHAT, P.O. BADARPUR GHAT, P.S. PANCHGRAM,
DISTRICT- HAILAKANDI, PIN- 788806, ASSAM, REPRESENTED BY THE
CHIEF MANAGER, NAMELY SHRI ANINDA DEBLASKAR.

VERSUS

KHOIRUN NESSA AND 6 ORS
W/O- SHRI ANWAR ALI, R/O- BEHAIRDALA, P.O. LILACHILLA, P.S.
RATABARI, DIST. KARIMGANJ, ASSAM

2:RUSHNA BEGUM
W/O- SHRI RAHMAT ALI
R/O- BEHAIRDALA
P.O. LILACHILLA
P.S. RATABARI
DIST. KARIMGANJ
ASSAM

3:M/S NORTH EASTERN TRANSMISSION COMPANY LTD
SUB-STATION AT BADARPUR GHAT
P.O. BADARPUR GHAT
DIST. HAILAKANDI
ASSAM
REPRESENTED BY ITS CHIEF MANAGER
132 KV SUB-STATION
BADARPUR GHAT
P.O. BADARPUR GHAT
DIST. HAILAKANDI
ASSAM

4:THE DISTRICT COMMISSIONER

KARIMGANJ
P.O.
P.S. AND DIST. KARIMGANJ
ASSAM

5:THE ADDITIONAL DISTRICT COMMISSIONER
KARIMGANJ
P.O.
P.S. AND DIST. KARIMGANJ
ASSAM

6:THE CIRCLE OFFICER
RAMKHRISHNA NAGAR
P.O. AND P.S. RAMKHRISHNA NAGAR
DISTRICT- KARIMGANJ
ASSAM

7:THE OFFICER IN-CHARGE
RATABARI POLICE STATION
RATABARI POLICE STATION
P.O.
P.S. AND DIST. KARIMGANJ ASSA

Advocate for the Petitioner : N KHERA,

Advocate for the Respondent : GA, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : --18.09.2025

Heard Mr. R. Sarma, the learned Senior Advocate assisted by Mr. N. Khera, the learned counsel for the petitioner and also heard Mr. T.R. Gogoi, the learned Government Advocate appearing on behalf of State respondent nos. 4, 5, 6 & 7.

2. This is an application preferred under Article 227 of the Constitution of India being aggrieved and dissatisfied with the impugned Judgment & Decree dated 22.03.2024 passed in Title Suit No. 71/2022, which is under challenge.

- 3.** It is submitted by Mr. Sarma that the judgment and decree was passed by the learned Civil Judge (Sr. Division), Karimganj where he has no jurisdiction at all and as per Section 16(3) and 16(5) of the Telegraph Act, if any dispute arises, it is only District Judge or Additional District Judge who can try the matter.
- 4.** Issue Notice to the respondents through registered post with A/D as well as usual process.
- 5.** However, no formal notice is required to be served to State respondent nos. 4, 5, 6 & & as the learned Government Advocate has already entered appearance. However extra requisite copy of the petition be served during the course of the day.
- 6.** Steps be taken within 2/3 days.
- 7.** Further considering the submission made by Mr. Sarma in the interim, judgment and decree dated 22.03.2024 of Title Suit No. 71/2022 and the proceeding of Execution Case No. 01/2025 be stayed, till next date of listing.
- 8.** List the matter accordingly after puja vacation, as on a date to be fixed by the Registry.

JUDGE

Comparing Assistant