

GAHC010205612024



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

Case No. : CRP(IO)/426/2024

VIJAY KUMAR CHOPRA
S/O- LATE SOHANLAL CHOPRA, R/O- FLAT NO. 403, SIDDHARTH
RESIDENCY, JAIN GALI, MD. SHAH ROAD, PALTANBAZAR, NEAR
MEGHDOOT CINEMA HALL, GHY-781008, DIST. KAMRUP(M), ASSAM

VERSUS

SANJAY PATNI AND 17 ORS.
S/O- PADAM CHAND PATNI, R/O- FLAT NO. 103/104/105 SIDDHARTH
RESIDENCY, JAIN GALI, MD. SHAH ROAD, PALTANBAZAR, NEAR
MEGHDOOT CINEMA HALL, GHY-781008, DIST. KAMRUP(M), ASSAM

2:PADAM CHAND PATNI
S/O- TARA CHAND PATNI
R/O- FLAT NO. 103/104/105 SIDDHARTH RESIDENCY
JAIN GALI
MD. SHAH ROAD
PALTANBAZAR
NEAR MEGHDOOT CINEMA HALL
GHY-781008
DIST. KAMRUP(M)
ASSAM

3:RITIKA JAIN
W/O- SUMIT PATNI
R/O- FLAT NO. 103/104/105 SIDDHARTH RESIDENCY
JAIN GALI
MD. SHAH ROAD
PALTANBAZAR
NEAR MEGHDOOT CINEMA HALL
GHY-781008
DIST. KAMRUP(M)

ASSAM

4: MUKESH KUMAR JAIN
S/O- PADAM CHAND PATNI
R/O- FLAT NO. 201 SIDDHARTH RESIDENCY
JAIN GALI
MD. SHAH ROAD
PALTANBAZAR
GHY-781008
DIST. KAMRUP(M)
ASSAM

5: BINOD KUMAR AGARWALA
R/O- FLAT NO. 302 SIDDHARTH RESIDENCY
JAIN GALI
MD. SHAH ROAD
PALTANBAZAR
NEAR MEGHDOOT CINEMA HALL
GHY-781008
DIST. KAMRUP(M)
ASSAM

6: SMT. SANGITA AGARWALA
W/O- SHRI BINOD KUMAR AGARWALA
R/O- FLAT NO. 302 SIDDHARTH RESIDENCY
JAIN GALI
MD. SHAH ROAD
PALTANBAZAR
NEAR MEGHDOOT CINEMA HALL
GHY-781008
DIST. KAMRUP(M)
ASSAM

7: AASISH JAIN (CHHABRA)
S/O- SHRI PANNALAL CHHABRA
R/O- FLAT NO. 304 SIDDHARTH RESIDENCY
JAIN GALI
MD. SHAH ROAD
PALTANBAZAR
NEAR MEGHDOOT CINEMA HALL
GHY-781008
DIST. KAMRUP(M)
ASSAM

8: PANNALAL CHHABRA
R/O- FLAT NO. 304 SIDDHARTH RESIDENCY
JAIN GALI
MD. SHAH ROAD

PALTANBAZAR
NEAR MEGHDOOT CINEMA HALL
GHY-781008
DIST. KAMRUP(M)
ASSAM

9:SMT. SHAKUNTLA JAIN
W/O- SHRI PANNALAL CHHABRA
R/O- FLAT NO. 304 SIDDHARTH RESIDENCY
JAIN GALI
MD. SHAH ROAD
PALTANBAZAR
NEAR MEGHDOOT CINEMA HALL
GHY-781008
DIST. KAMRUP(M)
ASSAM

10:BIJOY KUMAR AGARWALA
S/O- SRI OM PRAKASH AGARWALA
R/O- FLAT NO. 306 SIDDHARTH RESIDENCY
JAIN GALI
MD. SHAH ROAD
PALTANBAZAR
NEAR MEGHDOOT CINEMA HALL
GHY-781008
DIST. KAMRUP(M)
ASSAM

11:NARENDRA KUMAR SURANA
S/O- SHRI HANUMANMAL SURANA
R/O- FLAT NO. 402 SIDDHARTH RESIDENCY
JAIN GALI
MD. SHAH ROAD
PALTANBAZAR
NEAR MEGHDOOT CINEMA HALL
GHY-781008
DIST. KAMRUP(M)
ASSAM

12:HANUMANMAL SURANA
R/O- FLAT NO. 402 SIDDHARTH RESIDENCY
JAIN GALI
MD. SHAH ROAD
PALTANBAZAR
NEAR MEGHDOOT CINEMA HALL
GHY-781008
DIST. KAMRUP(M)
ASSAM

13:SMT. MANISHA SURANA
W/O- SHRI NARENDRA KUMAR SURANA
R/O- FLAT NO. 402 SIDDHARTH RESIDENCY
JAIN GALI
MD. SHAH ROAD
PALTANBAZAR
NEAR MEGHDOOT CINEMA HALL
GHY-781008
DIST. KAMRUP(M)
ASSAM

14:SMT. PRIYANKA SURANA
W/O- SHRI ROHIT SURANA
R/O- FLAT NO. 402 SIDDHARTH RESIDENCY
JAIN GALI
MD. SHAH ROAD
PALTANBAZAR
NEAR MEGHDOOT CINEMA HALL
GHY-781008
DIST. KAMRUP(M)
ASSAM

15:VINOD KUMAR CHORARIA
S/O- SHRI REKH CHAND CHORARIA
R/O- FLAT NO. 404 SIDDHARTH RESIDENCY
JAIN GALI
MD. SHAH ROAD
PALTANBAZAR
NEAR MEGHDOOT CINEMA HALL
GHY-781008
DIST. KAMRUP(M)
ASSAM

16:SMT. SAPANA CHORARIA
W/O- VINOD KUMAR CHORARIA
R/O- FLAT NO. 404 SIDDHARTH RESIDENCY
JAIN GALI
MD. SHAH ROAD
PALTANBAZAR
NEAR MEGHDOOT CINEMA HALL
GHY-781008
DIST. KAMRUP(M)
ASSAM

17:NARESH KUMAR CHOUDHURY
R/O- FLAT NO. 404 SIDDHARTH RESIDENCY
JAIN GALI

MD. SHAH ROAD
PALTANBAZAR
NEAR MEGHDOOT CINEMA HALL
GHY-781008
DIST. KAMRUP(M)
ASSAM

18:SMT. NITU CHOUDHURY
W/O- SHRI NARESH KUMAR CHOUDHURY
R/O- FLAT NO. 404 SIDDHARTH RESIDENCY
JAIN GALI
MD. SHAH ROAD
PALTANBAZAR
NEAR MEGHDOOT CINEMA HALL
GHY-781008
DIST. KAMRUP(M)
ASSA

Advocate for the Petitioner : MR. O P BHATI, MR T C DAS,MR. P SARMA,S. K. GUPTA

Advocate for the Respondent : ,

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

Date : 16.12.2024

Heard Mr. O.P. Bhati, learned counsel for the petitioner.

2. In this petition, under Article 227 of the Constitution of India, the petitioner has put to challenge the correctness or otherwise of the common order dated 21.05.2024, passed by the learned Civil Judge (Senior Division) No. 2, Kamrup(M), Guwahati, in Title Suit No. 408/2020.

3. It is to be noted here that vide impugned order dated 21.05.2024, the learned Civil Judge (Senior Division) No. 2, Kamrup(M), Guwahati, has dismissed the petition No. 2636/2023, filed by the petitioner, under Order 14 Rule 5 of the CPC for amendment of the issue Nos. 2 and 4 and also partially dismissed the

petition No. 2638/2023, filed by the petitioner, under Order 12 Rule 8 of the CPC, for production of the original documents of the by the respondent/defendants.

4. Perused the petition and the documents placed on record and also perused the impugned order dated 21.05.2024.

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. Mr. Bhati submits that the impugned order is perverse and as such, there is a requirement of staying the further proceeding of the case till disposal of the present petition.

7. Considering the submission of Mr. Bhati, learned counsel for the petitioner and also considering the facts and circumstances on the record, this Court prima facie satisfied that there exists ground for staying further proceeding of the case. Accordingly, it is provided that further proceeding of Title Suit No. 408/2020, stands stayed till returnable date.

8. List the matter after four weeks.

JUDGE

Comparing Assistant