

RSA 147/2015  
BEFORE  
HON'BLE MR. JUSTICE SUMAN SHYAM

Heard Mr. T.J. Mahanta, learned senior counsel appearing for the appellant.

Admit this appeal.

Issue notice returnable within 4 weeks. Steps by registered post.

Call for the records.

This second appeal will be heard on the following substantial questions of law:

1. Whether the learned First Appellate Court misread the evidence on record so as to arrive at an erroneous conclusion that there was no landlord tenant relationship between the appellant and respondent No. 3 to 5 by failing to co-relate the Khatiyani No. 17 with the Exhibit-1?

2. Whether the conclusion of the lower Appellate Court to the effect that the plaintiff's suit was barred under Section 54 of the Assam (Temporary Settled Area) Tenancy Act, 1971 is illegal in the eye of law?

3. In case of an occupancy tenant whose name has been duly entered in the Khatiyani, whether the rights and protection of such tenant, as conferred under Assam (Temporary Settled Area) Tenancy Act, 1971, would automatically stand extinguished on the land in question being converted into a patta land?

The appellant would be at liberty to urge any other substantial questions of law that may arise at the time of hearing.

List along with RSA No.126 of 2015.