

GAHC010239282018



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

Case No. : RSA 17/2019

1:SRI DIMBESWAR KEOT
S/O LATE KALIMON KEOT, R/O BARUAH CHUBURI, MOUZA HALESWAR,
P.O. DEKARGAON, DIST. SONITPUR, ASSAM.

VERSUS

1:SRI RUPAK KEOT AND 10 ORS
S/O LATE GONGAI KEOT, R/O PATIA CHUBURI, DEKARGAON, P.O.
DEKARGAON, MOUZA HALESWAR, DIST. SONITPUR, ASSAM, PIN 784001

2:JITEN KEOT
S/O LATE GONGAI KEOT
R/O PATIA CHUBURI
DEKARGAON
P.O. DEKARGAON
MOUZA HALESWAR
DIST. SONITPUR
ASSAM
PIN 784001

3:LOHIT KEOT
S/O LATE KHILESWAR @ KHIRESWAR KEOT
R/O PATIA CHUBURI
DEKARGAON
P.O. DEKARGAON
MOUZA HALESWAR
DIST. SONITPUR
ASSAM
PIN 784001

4:SMT. MONI KEOT
W/O LATE MANTU KEOT @ ARUN KEOT
R/O PATIA CHUBURI

DEKARGAON
P.O. DEKARGAON
MOUZA HALESWAR
DIST. SONITPUR
ASSAM
PIN 784001

5: BABU KEOT (MINOR)
S/O LATE MANTU KEOT @ ARUN KEOT
R/O PATIA CHUBURI
DEKARGAON
P.O. DEKARGAON
MOUZA HALESWAR
DIST. SONITPUR
ASSAM
PIN 784001

6: SMT. ANIMA KEOT
W/O LATE DIPAK KEOT
R/O PATIA CHUBURI
DEKARGAON
P.O. DEKARGAON
MOUZA HALESWAR
DIST. SONITPUR
ASSAM
PIN 784001

7: DHIRAJ KEOT (MINOR)
S/O LATE DIPAK KEOT
R/O PATIA CHUBURI
DEKARGAON
P.O. DEKARGAON
MOUZA HALESWAR
DIST. SONITPUR
ASSAM
PIN 784001

8: SMTI RINA KEOT
W/O LATE DEBEN KEOT
TEMPORARY R/O CHANDMARI
GUWAHATI
DIST. KAMRUP
ASSAM AND PERMANENT ADDRESS C/O SRI RUPAK KEOT (DEFENDANT
NO. 1)
PIN 781005

9: KHANINDRA KEOT
S/O LATE DEBEN KEOT

TEMPORARY R/O CHANDMARI
GUWAHATI
DIST. KAMRUP
ASSAM AND PERMANENT ADDRESS C/O SRI RUPAK KEOT (DEFENDANT
NO. 1)
PIN 781005

10:UTPAL KEOT
S/O LATE DEBEN KEOT
TEMPORARY R/O CHANDMARI
GUWAHATI
DIST. KAMRUP
ASSAM AND PERMANENT ADDRESS C/O SRI RUPAK KEOT (DEFENDANT
NO. 1)
PIN 781005

11:SMT. RUBI KEOT
D/O LATE DEBEN KEOT
TEMPORARY R/O CHANDMARI
GUWAHATI
DIST. KAMRUP
ASSAM AND PERMANENT ADDRESS C/O SRI RUPAK KEOT (DEFENDANT
NO. 1)
PIN 78100

Advocate for the Petitioner : MR. D MOZUMDER

Advocate for the Respondent :

:: BEFORE ::

HON'BLE MR. JUSTICE MIR ALFAZ ALI

O R D E R

18.01.2019

Heard Mr. S. Biswas, learned counsel for the appellant.

The Regular Second Appeal is directed against the judgment and decree dated 28.08.2018 passed by the learned Civil Judge, Sonitpur, Tezpur in Title Appeal No.11/2017 concurring the findings of the trial court passed in Title Suit No.103/2016.

The Regular Second Appeal is admitted to be heard on the following substantial question of law:

- (1) Whether the learned appellate court as well as the trial court committed illegality by holding that the plaintiff failed to prove his title, solely on the basis of the Jamabandi, ignoring the fact that the plaintiff was the legal heir and inherited the property from the original owner of the suit patta land ?

The appellant shall be at liberty to raise any substantial question of law at the time of hearing, if so desires.

Issue Notice to the respondents.

The appellant shall take steps for service of notice by registered post with A/D and also usual process.

Call for the records.

JUDGE

Comparing Assistant