

GAHC010270762025



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

Case No. : CRP/178/2025

DWIJEN SINGHA AND 5 ORS.

S/O LATE PRAMOD SINGH, R/O VILL- EKRABIL, P.O. BAGARIKHUTI, P.S.-
TAMULPUR, DIST- TAMULPUR, ASSAM, PIN- 784114

2: SATYANDRA BISWAS

S/O LATE GOVINDA BISWAS

R/O VILL EKRABIL

P.O- BAGARIKHUTI

P.S- TAMULPUR

DIST- TAMULPUR

ASSAM

PIN- 784114

3: BABULAL MONDAL

S/O LATE NIMAI MANDAL

R/O VILL- EKRABIL

P.O- BAGARIKHUTI

P.S- TAMULPUR

DIST- TAMULPUR

ASSAM

PIN- 784114

4: PRAKASH SINGH

S/O LATE NAGAD SINGH

R/O VILL- EKRABIL

P.O- BAGARIKHUTI

P.S- TAMULPUR

DIST- TAMULPUR

ASSAM

PIN- 784114

5: SUSHIL SINGH

S/O LATE MANIRAM SINGH

R/O VILL- EKRABIL

P.O- BAGARIKHUTI
P.S- TAMULPUR
DIST- TAMULPUR
ASSAM
PIN- 784114

6: SEPHALI SINGH
W/O LATE JATIN SINGH
R/O VILL- EKRABIL
P.O- BAGARIKHUTI
P.S- TAMULPUR
DIST- TAMULPUR
ASSAM
PIN- 78411

VERSUS

KARNA KACHARI AND 3 ORS.
S/O LATE AGNIKHOL KACHARI, R/O VILL. AND P.O.- SILBORI, P.S-
DALGAON, DIST- DARRANG, ASSAM, PIN- 784114

2:MELA KACHARI
S/O LATE SAHEB KACHARI
R/O VILL AND P.O- SILBORI
P.S- DALGAON
DIST- DARRANG
ASSAM
PIN- 784114

3:AKHIL KACHARI
S/O SAHEB KACHARI
R/O VILL AND P.O- SILBORI
P.S- DALGAON
DIST- DARRANG
ASSAM
PIN- 784114

4:JAILA KACHARI
S/O LATE SAHEB KACHARI
R/O VILL AND P.O- SILBORI
P.S- DALGAON
DIST- DARRANG
ASSAM
PIN- 78411

Advocate for the Petitioner : MR. J KALITA, S CHOUDHURY,MR SOHAING

Advocate for the Respondent : ,

**BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

ORDER

16.12.2025

1. Heard learned counsel Mr. J. Kalita for the petitioners who are aggrieved against the order dated 15.11.2025, passed by the learned Civil Judge, (Jr. Division) Mushalpur, Baksa in Title Execution Case No. 06/2022 arising out of Title Suit No. 51/2008.
2. It is submitted on behalf of the petitioners that a Title Suit was brought up by the defendants/respondent against the petitioners in the Year 2008. An ex-parte decree was passed in the Year 2010 and after the decree was passed, there was a mutual settlement between both the parties. Annexure-3 is the application in T.E. Case No. 08/2010 relinquishing the rights over the suit land. As this matter was amicably settled, the parties did not pursue the Title Execution case.
3. Meanwhile, both the plaintiff, Pranab Kachari and the defendants Gobinda Biswas and Pramod Singh have passed away and the legal heirs of the respondents have filed Title Execution case No. 06/2022 in relation to the same suit land which was disposed of by T.S. No. 51/2008 and which was amicably settled in T.E. No. 08/2010.
Through an additional-affidavit, the sale deeds executed by the earlier defendants are also annexed at Annexure-5 series.
4. I have considered the submission on behalf of the learned counsel for the defendants. It is submitted that although the suit land was under their possession and ownership, the names of the plaintiffs as well as the present

petitioners have not been mutated in the record of rights. This resulted in the new registration of the T.E. No. 08/2010.

5. It appears that there is a prima facie case to stay the proceedings of T.E. No. 06/2022, atleast till the next date of listing.

6. Thereby, further proceeding of T.E. No. 06/2022, is stayed till the next date of listing.

7. Issue notice to the respondents returnable on 05.02.2026.

8. Call for the scanned copies of the T.E. No. 06/2022.

9. List on 05.02.2026.

JUDGE

Comparing Assistant