

GAHC010274902025



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

Case No. : I.A.(Civil)/58/2026

AMIR HUSSAIN
S/O SULTAN ALI
R/O VILL- MIKIRATI HOW GAON
MOUZA- JAMUNAMUKH
P.O. AND P.S.- DOBOKA
DIST- HOJAI
ASSAM
PIN-782440

VERSUS

KASHEM ALI AND 2 ORS.
S/O LATE ABBAS ALI
R/O VILL- MIKIRATI HOW GAON
MOUZA- JAMUNAMUKH
P.O. AND P.S.- DOBOKA
DIST- HOJAI
ASSAM
PIN-782440

2:MUSSTT. JABINA KHATUN
W/O KASHEM ALI
R/O VILL- MIKIRATI HOW GAON
MOUZA- JAMUNAMUKH
P.O. AND P.S.- DOBOKA
DIST- HOJAI
ASSAM
PIN-782440

3:IUNIS ALI
S/O LATE SULTAN ALI
R/O VILL- MIKIRATI HOW GAON
MOUZA- JAMUNAMUKH
P.O. AND P.S.- DOBOKA

DIST- HOJAI
ASSAM
PIN-782440

Advocate for : MR H R A CHOUDHURY
Advocate for : appearing for KASHEM ALI AND 2 ORS.

**BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

ORDER

Date : 19.01.2026

- 1.** Heard Ms. R. Chodhury, learned counsel for the applicant.
- 2.** This application under Order XLI Rule 5 read with Section 151 of the Code of Civil Procedure, 1908 has been preferred by the appellant for stay of the judgment and decree dated 22.09.2025 passed by the Court of learned Civil Judge (Senior Division), Hojai in Title Appeal No. 1/2021 whereby it affirmed the decree and judgment dated 11.04.2019 passed by the Court of learned Civil Judge (Junior Division), Sankardev Nagar, Hojai in Title Suit No. 47/2009 whereby the suit of the respondents/plaintiffs was decreed.
- 3.** Issue notice to the respondents.
- 4.** The applicant shall take steps for issuance of notice upon the respondents by speed post as well as by usual mode within seven days from the date of this order, returnable on 27th of February, 2026.
- 5.** The interim prayer will be considered after due service of notice.
- 6.** List accordingly.

JUDGE

Comparing Assistant