

GAHC010302502019



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

Case No. : I.A.(Civil) 4223/2019

1:ANWAR HUSSAIN BARBHUIYA
S/O LATE ABDUL MANNAF BARBHUIYA, R/O VILL. KAPNARPAR, P.O.
KALIBARI BAZAR, DIST. HAILAKANDI, ASSAM, PIN 788150

VERSUS

1:ABDUL MATIN LASKAR
S/O HAZI MASUR ALI LASKAR, VILL. NABIN SONAPUR, PARGANA
HAILAKANDI, ASSAM 788817

Advocate for the Petitioner : MR. B CHAKRAVARTY

Advocate for the Respondent : MR B SINHA

BEFORE
HONOURABLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA

O R D E R

06.01.2020

Heard Mr. B. Chakraborty, learned counsel for the respondent No.2 and Mr. B. Sinha, learned counsel for the opposite party/appellants.

Issue notice returnable in four weeks.

Extra copies of the application be provided to the learned counsel for the opposite party/appellants.

This interlocutory application is by the respondent No.2 for a direction to immediately

stop all sorts of construction over the suit land by the appellants herein. It is stated that the respondent No.2 is the beneficiary of concurrent judgments by the trial Court as well as by the first appellate Court and it is an appeal against such concurrent appellate judgment. But taking advantage of the appeal, the appellants are going ahead with some construction over the suit land.

Prayer of Mr. B. Sinha, learned counsel for the appellants/opposite party to file his objection is allowed.

But it is also provided that in the interim, a status-quo be maintained with a clarification that the appellants shall not henceforth undertake any further construction over the suit land.

List on 17.02.2020.

JUDGE

Comparing Assistant