

GAHC020000252024



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

Case No. : FA/1/2024

SHRI IMLIKUMZUK
S/O LATE IMSUMEREN KICHU
R/O ALONGMEN WARD
MOKOKCHUNG-798601
MOKOKCHUNG NAGALAND

VERSUS

SHRI KUTU CHISHI
S/O LATE INATO CHISHI
R/O PANLI WARD
MOKOKCHUNG NAGALAND
H.NO. 89
PIN-798601

Advocate for the Petitioner : IMKONG JAMIR

Advocate for the Respondent :

**BEFORE
HON'BLE MR. JUSTICE BUDI HABUNG**

ORDER

Date : 06-02-2024

Heard Mr. C. T. Jamir, learned senior counsel assisted by Mr. Imkong Jamir, learned counsel for the appellant.

This appeal is directed against the impugned judgment and order dated 19.01.2024, passed by the District Judge, Mokokchung, Nagaland in Civil Suit No. 1/2018, by which the right title and interest over the suit land covered by serial No. 357, Permit No. 99 measuring 80x120 sq ft, has been decreed in favour of the respondent/plantiff.

The learned senior counsel for the petitioner submits that the suit was heard on 23.05.2022. However, after two days of completion of hearing of the case that is on 27.05.2022, two documents; namely one passed by the Deputy Commissioner, Mokokchung marked as (Document-1) and the another, order dated 23.02.2011 passed by the Hon'ble Gauhati High Court marked as (Document-2) were filed by the respondent/plantiff before the learned District Judge without any leave of the court or information to the defendant/appellant, and the judgment has been pronounced after about one year and eight months that is on 19.01.2024, basing on the above two documents subsequently submitted by the respondent/plantiff.

Issue notice returnable by two weeks.

Call for the LCR.

The learned counsel for the appellant shall take steps upon the respondent within four days from today by a registered post with AD.

The interim prayer shall be considered after hearing both the parties on the next date. In the meantime, it is provided that pursuant to the impugned judgment and order dated 19.01.2024, no steps may be taken till the returnable date.

List this matter after two weeks.

Sd/-
JUDGE

Comparing Assistant