

GAHC030001112024



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

Case No. : RFA/6/2024

Sh. J. Hmingthansanga
S/o Chawngkunga,
R/o Falkland Veng, Aizawl, Mizoram

VERSUS

Smt. Chhunthangi and Anr.
D/o Lalhranga
R/o Electric Veng, Aizawl, Mizoram 2:Sh. Dokhanliana
S/o Khawlkena (L)
R/o H.No. A-022
Chanmari
Aizawl
Mizoram

Advocate for the Petitioner : Mr. Jonathan L Sailo

Advocate for the Respondent :

B E F O R E
HON'BLE MRS. JUSTICE MARLI VANKUNG
O R D E R

26.02.2024

Heard Mr. Jonathan L. Sailo learned counsel for the appellant.

This is an appeal filed under Order 41 Rule 1 CPC r/w Section 17(2)(b) of the Mizoram Civil Courts Act, 2005 against the Judgment & Order along with Decree dated 24.11.2023 passed by the Civil Judge (Senior Division)- II, Aizawl in Civil Suit No.17/2017.

The learned counsel submits that the learned Trial Court had erred in passing the impugned order dated 24.11.2023 dismissing the Civil Suit No.17/2017, since the learned Trial Court though he had upheld the mutation of the LSC No.103401/01/58 of 1999 had not accepted the Sale Deed dated 11.12.2014 when the mutation of the said land/LSC was done on the basis of the Sale Deed which was duly registered.

He further submits that the learned trial court had also erred in not accepting the 'INTIAMKAMNA/INREMSIAMNA' dated 18.11.2016 when the said 'INTIAMKAMNA /INREMSIAMNA' was not challenged by neither of the parties its acceptance by the witnesses was adduced before the trial court and that the said 'INTIAMKAMNA/INREMSIAMNA' was also duly registered.

In view of the above, notice is to be issued to the respondents through Registered post

with A/D within 3 (three) days, returnable by 3 (three) weeks.

List the matter **after3 (three) weeks.**

JUDGE

Comparing Assistant