

GAHC030003802023



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

Case No. : I.A.(Civil)/84/2023

Sh. Laldenga (L) through L.R. Smt. Kapkimi
S/o Hrima (L)

R/o Electric Veng
Aizawl

VERSUS

Sh. Lalramngheta and 3 Ors.
S/o Kapmawia

R/o Electric Veng
Aizawl
Mizoram

2:State of Mizoram
Represented by the Chief Secretary
Government of Mizoram

3:Secretary to the Government of Mizoram
Land Revenue and Settlement Department
Aizawl

4:Director
Land Revenue and Settlement Department
Aizawl

Advocate for the Petitioner : Mr Lalfakawma
Advocate for the Respondent :

Linked Case : RFA/25/2023

Sh. Laldenga (L) through L.R. Smt. Kapkimi
S/o Hrima (L), R/o Electric Veng, Aizawl

VERSUS

Sh. Lalramngheta and 3 Ors.
S/o Kapmawia, R/o Electric Veng, Aizawl, Mizoram 2:State of Mizoram
Represented by the Chief Secretary
Government of Mizoram

3:The Secretary to the Government of Mizoram
Land Revenue and Settlement Department
Aizawl

4:The Director
Land Revenue and Settlement Department
Aizawl

Advocate for the Petitioner : Mr. Lalfakawma

Advocate for the Respondent :

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

20.07.2023

Heard Mr. Lalfakawma, learned counsel for the applicant.

This is an application under Order XLI Rule 5 r/w Section 151 of the Civil Procedure Code, 1908 for staying the operation of the Judgment & Order dated 26.05.2023 and the Decree dated 26.05.2023 passed by the Senior Civil Judge-II in Title Suit No. 43/2016.

The learned counsel for the applicant submits that the operation of the said impugned judgment and order may be stayed till the disposal of the RFA No. 25/2023, since the learned Trial Court had decreed that the instant respondent/opposite party is entitled to the peaceful possession of the suit land and building covered by LSC No. 104003/01/134 of 2005 and mutation of LSC will be made by the respondent No. 4/defendant No. 4 in favour of the plaintiff/respondent within 2 (two) months of this order. He submits that they have now received a legal notice for handing over the said LSC No. 104003/01/134 of 2005.

In view of the above submission, this Court find it fit to pass an interim order for the interim stay of the operation of the impugned Judgment & Order dated 26.05.2023 and the Decree dated 26.05.2023 passed by the Senior Civil Judge-II in Title Suit No. 43/2016 till the disposal of the instant I.A.

Meanwhile, issue notice upon the respondent No. 1 through registered post with A/D within 3 days, returnable by three weeks.

List this matter **after 3 (three) weeks.**

JUDGE

Comparing Assistant