

GAHC030005582025



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

Case No. : RFA/36/2025

Smt. Lainguri
D/o Sairenga, R/o Tuikhuahtlang, Aizawl, Mizoram

VERSUS

Sh. Laltlanzova and 4 Ors.
S/o Thanthuama, R/o Chanmari West, Aizawl, Mizoram

2:Smt. Lalremruati
D/o Thanthuama
R/o Chanmari West
Aizawl
Mizoram

3:Sh. Jonathan Saizuala Sailo
C/o Lalawmpuia
R/o Dawrpui Vengthlang
Aizawl
Mizoram

4:Sh. Bijoy Gurung
C/o C. Laldingliana
R/o H/No. 1/58
Kulikawn
Aizawl
Near Police Station

5:The District Registrar
Aizawl District
Mizoram

Advocate for the Petitioner : Mr. Lalfakawma

Advocate for the Respondent :

BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO
ORDER

25.08.2025

Heard Mr. Lalfakawma, learned counsel for the appellant, who submits that by filing this appeal under Section 96 read with Order 41 CPC and also read with Section 17 of the Mizoram Civil Courts Act, 2005, the appellant has challenged the Judgment and Decree dated 02.06.2025 passed by the Court of Civil Judge (Senior Division)- III, Aizawl in Declaratory Suit No. 34 of 2017. The learned counsel submits that by filing the Declaratory Suit, the respondent Nos. 1 & 2 has sought for declaration of the mutation of LSC No. 103302/01/682 of 2010 and LSC No. 103302/01/683 of 2010 in the name of the appellant to be null and void. Similarly, the respondent Nos. 1 & 2 sought for declaration of the deed of sale dated 24.11.2014 between the appellant and the respondent No. 1 and its registration to be null and void. The learned counsel submits that the impugned Judgment and Order is contrary to the evidence on record and that the respondent Nos. 1 & 2 had failed discharge the burden of proving the fact that the mutation in the name of the appellant has been obtained by fraud. He also submits that the deed of sale was not at all considered by the learned Trial Court in passing the impugned Judgment. As such, the Judgment and Order dated 02.06.2025 should be set aside.

In view of above, issue notice, returnable by 3 (three) weeks.

Appellant to take steps for service of notice upon the respondents by

registered post with A/D due within 3 (three) days.

Having regard to the above projection made by the appellant, it is hereby directed that till the next returnable date, parties shall maintain status-quo, as on today.

List this matter again after 3 (three) weeks.

JUDGE

Comparing Assistant