

GAHC030008712025



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

Case No. : CRP/15/2025

Mizoram Rural Bank and Anr.
R/b General Manager, Head Office, New Capital, Khatla, Aizawl, Mizoram 2:
The Chief Manger
Mizoram Rural Bank
Kulikawn Branch
Aizawl
Mizora

VERSUS

Smt Lalduhawmi Chawngthu and 4 Ors.
D/o C.Thantluanga (L), R/o Mission Veng, Aizawl 2:Smt Laldinpuii
D/o Zamanliana
R/o Mission Veng
Aizawl

3:Sh Zirsangzela Fanai
S/o F.Zatawna
R/o College Veng
Aizawl
Prop. of M/s ZF Collection

4:The District Magistrate
Aizawl District
Aizawl

5:The Asstt. Commissioner-II
Deputy Commissioner's Office
Aizawl District
Aizawl
Mizora

Advocate for the Petitioner : Mr C Zoramchhana

Advocate for the Respondent : Addl. AG/GA, Mizoram for R4 & R5

B E F O R E
HON'BLE MR. JUSTICE PRANJAL DAS
ORDER

26.02.2026

Heard Mr. C Zoramchhana, learned counsel for the petitioners.

The instant Civil Revision Petition has arisen out of the petition filed under Article 227 of the Constitution of India, read with Section 115 of the CPC by the petitioner Bank, aggrieved by the Order dated 27.10.2023 passed by the learned Civil Judge, Senior Division-I, Aizawl District in CMA No. 846/2023, whereby the prayer of the plaintiff in Civil Suit No. 148/2023 for temporary injunction was allowed. It is submitted that the primary contention is that a notice under Section 13 of the SARFAESI Act has been issued and, in view of Section 34 of the SARFAESI Act, the jurisdiction of the Civil Court is barred and hence, the granting of temporary injunction is erroneous in law.

The petitioner was supposed to file an additional affidavit. The learned counsel submits that in the meantime, the Court may consider issuing a notice and that the petitioners shall file the additional affidavit during this time.

Issue notice upon the five respondents impleaded in this petition. Steps upon

respondent Nos. 1, 2 & 3 by registered post with A/D may be taken expeditiously.

Ms. Vanneihsemi, learned Government Advocate, accepts notice on behalf of respondent Nos. 4 & 5. Extra copies be furnished to the learned counsels representing the respondents. The petitioners are at liberty to file the additional affidavit.

List the matter after 3 (three) weeks, on a date to be fixed by the Registry.

JUDGE

Comparing Assistant