

GAHC040017682025



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

Case No. : CRP/102/2025

Smti Techi Menia
Wife of Shri T M Tara, resident of E Sector, Naharlagun, PO and PS Naharlagun,
Papum Pare District, Arunachal Pradesh.

VERSUS

Taba Tem
Son of Late Taba Tado, resident of Model Village, PO and PS Naharlagun, Papum
Pare District, Arunachal Pradesh.

Advocate for the Petitioner : Dugmar Kamduk, P Tashi, Mitem Ratan, Lokam Tadam, Bate Joel
Koyu, Mipe Ete, Kirpok Eshi

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE

ORDER

Date : 27.10.2025

Heard Mr. D. Kamduk, learned counsel for the petitioner.

Aggrieved by the order dated 30.08.2025, passed by the Customary Court of Model Village, Naharlagun, whereby the Customary has advised and recommended the case of the petitioner be tried before the regular Court/Civil

Court of competent jurisdiction, on the ground that the respondent is not cooperating with the Customary Court by denying all document/ evidence by way of written statement.

It is the contention of Mr. D. Kamduk, learned counsel for the petitioner that the Customary Court has refused to exercise its jurisdiction as conferred under the law, therefore, the decision and recommendation to be tried by the trial Court/Civil Court of competent jurisdiction is not sustainable.

Issue notice to the sole respondent, returnable within 4 (four) weeks.

The learned counsel for the petitioner shall take steps for service of notice upon the sole respondent by registered post with A/D as well as by usual process within 3(three) working days from today.

Having considered the submissions of the learned counsel for the petitioner and also considering that the Customary Court of Model Village appears to have not exercised the jurisdiction conferred upon them under the law, till the next date, the impugned order dated 30.08.2025, shall remain suspended.

List the matter after 4(four) weeks.

JUDGE

Comparing Assistant