

GAHC010168592022



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

Case No. : I.A.(Civil)/2786/2022

SRI SUBRATA DAS AND ANR.

S/O- LATE SUKEN DAS, R/O- SATSANGA ASHRAM ROAD, SILCHAR TOWN,
P.S. SILCHAR, DIST.- CACHAR, ASSAM.

2: SRI ASHIM DAS

S/O- LATE AKHIL DAS

R/O- MAHANAMBRATA SARANI

HAILAKANDI ROAD

SILCHAR TOWN

P.S. SILCHAR

DIST.- CACHAR

ASSAM

VERSUS

SRI RUNU ROY AND 7 ORS.

S/O- LATE RATHINDRA LAL ROY, R/O- HAILAKANDI ROAD, SILCHAR-
788005, P.S. SILCHAR, DIST.- CACHAR, ASSAM.

2:SMTI. SHEELA ROY

W/O- SRI RUNU ROY

R/O- HAILAKANDI ROAD

SILCHAR- 788005

P.S. SILCHAR

DIST.- CACHAR

ASSAM.

3:SRI RATNAJIT ROY

S/O- SRI RUNU ROY

R/O- HAILAKANDI ROAD

SILCHAR- 788005

P.S. SILCHAR

DIST.- CACHAR

ASSAM.

4:SRI SUBROJIT ROY
S/O- SRI RUNU ROY
R/O- HAILAKANDI ROAD
SILCHAR- 788005
P.S. SILCHAR
DIST.- CACHAR
ASSAM.

5:SMTI. MANJUSHREE SWAMI
W/O- LATE SUBHENDU KUMAR SWAMI
R/O- FLAT NO. D-02
MAYUR KUNJA APARTMENT
COLLEGE ROAD
SILCHAR TOWN
P.S. SILCHAR
DIST.- CACHAR
ASSAM.

6:SHREE BHARGAVA SWAMI @ DEEP SWAMI
S/O- LATE SUBHENDU KUMAR SWAMI
R/O- FLAT NO. D-02
MAYUR KUNJA APARTMENT
COLLEGE ROAD
SILCHAR TOWN
P.S. SILCHAR
DIST.- CACHAR.

7:M/S. JAIN UDYOG

KUSHAL COMPLEX
SONAI ROAD
SILCHAR TOWN
P.O. SILCHAR
DIST.- CACHAR. (REP. BY ITS PARTNER SRI RAMESH KUMAR JAIN
S/O- LATE GAJANAND JAIN
R/O- JAIN HOUSE
MONA CHOWMAHANI
AGARTALA- 799001
TRIPURA.

8:SMT. SUSMITA PURKAYASTHA
W/O- SHREE BISWADEEP PURKAYASTHA
D/O- LATE SUBHENDU KUMAR SWAMI
R/O- 1500 PLANTATION OAKS DRIVE
APARTMENT NO. 2904
TROPHY CLUB
TEXAS- 762662

U.S.A.
REP. BY HER DULY APPOINTED ATTORNEY SRI SAMARENDRA DAS @
SREE SAMAR DAS
S/O- LATE UPENDRA DAS
R/O- CHURCH ROAD
AMBICAPPTY
SILCHAR TOWN
P.S. SILCHAR
DIST.- CACHAR
ASSAM

Advocate for the Petitioner : MR. D CHAKRABARTY

Advocate for the Respondent : MR G N SAHEWALLA

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

21.09.2022

Heard Mr. D. Chakraborty, learned counsel appearing for the applicants.

This I.A. has been filed with a prayer to vacate/modify/alter the order dated 24.05.2019 passed by this Court in I.A.(Civil) No.1776/2019 arising out of FAO No.29/2019.

Mr. A. Chetia, learned counsel for the OPs submits that today the matter has been listed for the first time and therefore, he be granted three weeks time to obtain instruction and file objection, if any. The prayer is reasonable and therefore, is allowed.

At this stage, Mr. Chakraborty, learned counsel for the applicants, has expressed apprehension and submitted that after the change of pecuniary jurisdiction of the Civil Courts there is a probability that this matter may not be listed before the High Court. However, since the applicants are seeking

modification of the order passed by the High Court, regardless of the change of pecuniary jurisdiction, the said issue has to be resolved by the High Court itself.

Registry to take note of the above and list the matter accordingly.

JUDGE

Comparing Assistant