

CRP 241/2012
BEFORE
HON'BLE MR. JUSTICE B.P. KATAKEY

Heard Dr. Ahmed, learned counsel for the petitioners, Mr. PK Roy, learned counsel for the respondent Nos. 1 to 7 as well as Mr. Nath, learned counsel appearing for the respondent Nos. 8 and 9.

The petitioners, who are the defendants in Title Suit No. 106/2009, pending in the court of the learned Munsiff No. 1, Karimganj, by the present petition has challenged the order 21.4.2012 passed by the learned Civil Judge, Karimganj in Misc. Appeal No. 16/2011. The said order was passed in the aforesaid appeal preferred by the present respondents, who are the plaintiffs in the suit, against the order dated 20.8.2011 with the following directions: -

- i) The petitioner/defendants should not change the nature and feature of the suit land.
- ii) The petitioner/defendants should give an undertaking of Rs. 50,000/- (fifty thousand) only if in the event of unfavourable order passed against them. The petitioner/defendants shall dismantled the institution with their own cost.
- iii) The electric connection does not confer any title on the petitioner/defendants.
- iv) The electricity connection is given temporary and if any objection raised by any one of the parties then it will be taken action and line will be discontinued by the ASEB authority prior permission of this court.

Under above condition the petitioner give a bond/undertaking before ASEB before taking connection

Admittedly the electrical connection has been provided and the petitioners are enjoying the said electrical connection.

In view of the above, the revision petition is disposed of directing that the said electrical connection shall continued to be provided subject to the conditions put by the learned Munisff and payment of the electrical charges as per the bills raised or to be raised by the ASEB. Such provision for electrical connection shall, however, be subject to the outcome in the suit.

Since the said suit has been instituted in the year 2009, the learned trial court is directed to decide the said suit in accordance with law as expeditiously as possible, in any case, within six months from the date of appearance of the parties.

The parties are directed to appear before the trial court on 4.3.2013.

The revision petition is accordingly disposed of.