

**BEFORE
HON'BLE MR JUSTICE SR SEN
FAO No. 2 of 2014**

10.12.2014

Heard Mr AH Hazarika, learned counsel for the appellant who submits that, this instant appeal has been filed challenging exparte order passed by the learned Judge, Garo Hills District Council Court, Tura without making the appellant one of the party who is the legally married wife. When the matter came to the knowledge of the appellant, another petition was filed before the District Council Court, East Khasi Hills, Shillong which is pending. If it is so, I am of the view that this appeal before this Court is too premature to interfere with, hence, both the parties are directed to approach the District Council Court who shall adjudicated the matter after recording evidence of both the parties.

Court Master is directed to return the Lower Court case record to the concerned Court immediately.

With this observation and direction, this instant appeal stands dismissed.

JUDGE

V Lyndem