

GAHC010077092018



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

I.A.(Civil)/2357/2018

MD NAZIR ALI
S/O LATE BABJAN ALI
R/O VILLAGE BHANGNABARI
PS AND DISTRICT NALBARI ASSAM.

VERSUS

MD SAFAT ALI
S/O LATE BABJAN ALI
R/O VILLAGE BHANGNABARI
PS AND DISTRICT NALBARI ASSAM.

Advocate for : MR. B D GOSWAMI
Advocate for : appearing for MD SAFAT ALI

in Case No. : RSA/185/2018

MD NAZIR ALI
S/O LATE BABJAN ALI
R/O VILLAGE BHANGNABARI
PS AND DISTRICT NALBARI ASSAM.

VERSUS

MD SAFAT ALI
S/O LATE BABJAN ALI
R/O VILLAGE BHANGNABARI
PS AND DISTRICT NALBARI ASSAM.

Advocate for the Petitioner : MR. B D GOSWAMI

Advocate for the Respondent :

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date :31.08.2022

Heard Mr. B.D. Goswami, the learned counsel appearing on behalf of the Applicant and Mr. V.K. Barooah, the learned counsel appearing on behalf of the Respondent.

This Court had already admitted the accompanying appeal by formulating a substantial question of law in terms with Section 100(4) of the Code of Civil Procedure, 1908.

Taking into consideration the above and the decree so passed by the First Appellate Court being an executable decree, this Court stays the impugned judgment and decree dated 9/6/2017 passed in Title Appeal No.12/2016 as well as the execution proceedings being Title Execution Case No. 15/2017 pending in the Court of the Civil Judge No. 1, Nalbari till disposal of the appeal.

The IA stands disposed off.

JUDGE

Comparing Assistant