

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.

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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**