

Assam Schedule VII, Form No 132

HIGH COURT FORM NO. (J) 2

HEADING OF JUDGMENT IN ORIGINAL SUIT/ CASE

District: Baksa, BTAD, Assam

In the Original Court of the Munsiff, Baksa, BTAD, Assam

Present: JAGAT DAS, A.J.S.

Friday, the 16th day of November, 2018

Title suit no-87/18(new) arising out of Title Suit no-35/17 (old)

1. Sri Tapan Nath @ Tapu Nath
S/O- Late Banabashi Nath
R/O- Ambari
Mouza- Uttar Baska, P.S. - Mushalpur
Dist. - Baksa, B.T.A.D., Assam
2. Sri Raju Nath
S/O- Late Banabashi Nath
R/O- Ambari
Mouza- Uttar Baska, P.S. - Mushalpur
Dist. - Baksa, B.T.A.D., Assam
3. Sri Manoranjan Nath
S/O- Late Banabashi Nath
R/O- Ambari
Mouza- Uttar Baska, P.S. - Mushalpur
Dist. - Baksa, B.T.A.D., Assam
4. Sri Bidur Sarma
S/O- Late Nitai Sarma
R/O- Ambari
Mouza- Uttar Baska, P.S. - Mushalpur
Dist. - Baksa, B.T.A.D., Assam
5. Sri Rajib Sarma
S/O- Late Nitai Sarma
R/O- Ambari
Mouza- Uttar Baska, P.S. - Mushalpur
Dist. - Baksa, B.T.A.D., Assam
6. Sri Hirakjyoti Sarma
S/O- Late Buddhi Sarma
R/O- Ambari
Mouza- Uttar Baska, P.S. - Mushalpur
Dist. - Baksa, B.T.A.D., Assam
7. Sri Dipak Sarma

16.11.18
Munsiff
Baksa





S/O- Late Akshay Sarma
R/O- Ambari
Mouza- Uttar Baska, P.S. - Mushalpur
Dist. - Baksa, B.T.A.D., Assam

8. Sri Badal Nath
S/O- Tarani Nath
R/O- Ambari
Mouza- Uttar Baska, P.S. - Mushalpur
Dist. - Baksa, B.T.A.D., Assam

9. Sri Hardhan Nath
S/O- Late Tarani Nath
R/O- Ambari
Mouza- Uttar Baska, P.S. - Mushalpur
Dist. - Baksa, B.T.A.D., Assam

10. Sri Mantu Madak
S/O- Late Bhola Madak
R/O- Ambari
Mouza- Uttar Baska, P.S. - Mushalpur
Dist. - Baksa, B.T.A.D., Assam

11. Sri Pradip Madak
S/O- Late Bhola Madak
R/O- Ambari
Mouza- Uttar Baska, P.S. - Mushalpur
Dist. - Baksa, B.T.A.D., Assam

12. Sri Aanti Madak
S/O- Late Bhola Madak
R/O- Ambari
Mouza- Uttar Baska, P.S. - Mushalpur
Dist. - Baksa, B.T.A.D., Assam

13. Padmabala Nath on her death her legal heirs-

13(Ka) Sri Krishna Nath
S/o- Late Braj Nath
R/O- Ambari
Mouza- Uttar Baska, P.S. - Mushalpur
Dist. - Baksa, B.T.A.D., Assam

13(Kha) Sri Hari Nath
S/o- Late Braj Nath
R/O- Ambari
Mouza- Uttar Baska, P.S. - Mushalpur
Dist. - Baksa, B.T.A.D., Assam.....Plaintiffs

Vs-

1. Sri Siddheswar Basumatary
S/O- Paniram Basumatary
R/O- Bengenabari

16.11.18
Munsiff
Baksa



Mouza- Uttar Baksa
P.S. - Mushalpur
Dist. - Baksa, B.T.A.D., Assam

2. Sri Jay Singh Brahma
S/O- Late Dhapeswar Brahma
R/O- Ambari
Mouza- Uttar Baska, P.S. - Mushalpur
Dist. - Baksa, B.T.A.D., Assam

3. Sri Kunhan Brahma
S/O- Narad Brahma
R/O- Ambari
Mouza- Uttar Baska, P.S. - Mushalpur
Dist. - Baksa, B.T.A.D., Assam.....Defendants

This suit/case coming on for final hearing on 12/11/2018 in the presence of Islam Gajjur Rahman, Ld. Advocate for the Plaintiffs and none for the Defendants.

And having stood for consideration to this day the Court delivered the following judgment:

JUDGMENT

1. This is a suit filed by the plaintiffs for confirmation of right, title and interest and possession over the suit land described in schedules of the plaint, for declaration of mutation order dated 29-01-2016 passed by the Circle Officer, Baksa Revenue Circle as illegal and cancellation of the same and for precept and permanent injunction.

2. Plaintiffs' case :

The case of the plaintiff in brief is that the schedule 'Ka' land of the plaint that is land measuring 1Bigha covered by Dag No. 801 of K. P. No.83 of village Ambari under Mouza- Uttar Baksa, P.S.-Mushalpur, Dist.- Baksa was purchased by one Late Banbashi Nath, the father of the plaintiff no-1,2 and 3 from one Milanwala Barman by means of a registered sale deed being deed no-1659/77, took possession of the same, constructed house thereon and lived thereupon with his family during his lifetime. Currently, the plaintiff no-1, 2 and 3 are residing over the schedule 'Ka' land of the plaint.

The schedule 'Kha' land of the plaint that is land measuring 1Katha and 5Lessas covered by Dag No. 801 of K. P. No.83 of village Ambari under Mouza- Uttar Baksa, P.S.-Mushalpur, Dist. - Baksa was purchased by one Nitai Sharma, the father of plaintiff no-4 and 5 and grandfather of plaintiff no-6 and 7 respectively through a registered sale deed, constructed house thereon and lived thereupon with his family during his lifetime. He also mutated his name in respect of the said land and also paid land revenue regularly.

The schedule 'Ga' land of the plaint that is land measuring 1Katha and 5 Lessas covered by Dag No. 801 of K. P. No.83 of village Ambari under Mouza- Uttar Baksa,

16.11.18
Munsiff
Baksa