GAHC030004052026

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

Case No. : I.A.(Civil)/120/2026

Smt. Sangluti and 2 Ors.
D/o F. Neihkima
R/o Electric Veng
Aizawl

2: Sh. T.H. Lallawmkima
S/o T.H. Zarliana (L)
R/o Electric Veng
Aizawl

3: Smt. Zohmangaihi
D/o T.H. Zarliana (L)
R/o Electric Veng
Aizawl
VERSUS

Sh. Vanlalrochhara and Anr.
H/o M. Lalmuankimi
R/o Chaltlang
Aizawl

2:Smt. M. Lalmuankimi
W/o Vanlalrochhara
R/o Chaltlang
Aizawl

Advocate for the Petitioner : Mr Zoramchhana
Advocate for the Respondent :

Linked Case : **RFA/18/2026**

Smt. Sangluti and 2 Ors.
D/o F. Neihkima, R/o Electric Veng, Aizawl2: Sh. T.H. Lallawmkima
S/o T.H. Zarliana (L)
R/o Electric Veng
Aizawl

3: Smt. Zohmangaihi
D/o T.H. Zarliana (L)
R/o Electric Veng
Aizaw

VERSUS

Sh. Vanlalrochhara and Anr.
H/o M. Lalmuankimi, R/o Chaltlang, Aizawl 2:Smt. M. Lalmuankimi
W/o Vanlalrochhara
R/o Chaltlang
Aizaw

Advocate for the Petitioner : Mr Zoramchhana

Advocate for the Respondent :

BEFORE
HON'BLE MR. JUSTICE MRIDUL KUMAR KALITA
ORDER

28.09.2026

1. Heard Mr. Zoramchhana, learned counsel for the applicants/ appellants. Also heard Mr. A. Khamthianmanga, learned for the all the respondents/opposite parties.

2. This Interlocutory Application has been filed by the applicants in connection with RFA No. 18/2026 under Order XLI Rule 5 of the Code of Civil Procedure, 1908 praying for staying the execution of the Judgment & Decree dated

12.03.2026 passed by the Court of learned Civil Judge (Senior Division)-VI, Aizawl in Civil Suit No. 23/2019.

3. By the impugned Judgment & Decree, the plaintiffs were also directed to return Rs. 18 Lakhs to the defendant with an interest @ 5% per annum from September, 2016. The contention of the applicants/ appellants in the connected appeal is that the said direction is beyond the pleadings of the parties and a said direction has been impugned in the connected Regular First Appeal. As such, a prayer or stay of execution of the directions given by the Trial Court in paragraph No. 33 of the impugned Judgment has been prayed for.

4. The learned counsel for the opposite parties submits that the opposite parties does not have any objection if during the pendency of the connected Regular First Appeal said direction is stayed.

5. Accordingly, the direction made by the Trial Court in paragraph No. 33 of the impugned Judgment & Decree is hereby stayed during the pendency of the connected Regular First Appeal and this Interlocutory Application is accordingly disposed of.

JUDGE

Comparing Assistant