

**IN THE COURT OF THE SENIOR CIVIL JUDGE, AIZAWL DISTRICT,  
AIZAWL MIZORAM**

**Civil Suit No.53/2011**

Vanlalsiama  
S/o Thanhnuna (L)  
R/o Zemabawk,  
Aizawl, Mizoram.

.....Plaintiff

-Versus-

Lalpianthanga,  
S/o Chawngchhunga,  
Dinthar, Aizawl & Ors

..... Defendants.

**BEFORE**

**R.VANLALENA, Senior Civil Judge**

For the Plaintiff:        Shri Reuben L.Tochhawng & ors,  
Advocates.

For the Defendants:    Shri Lallianzuala Sailo, Advocate.

Dated of Judgement:    2.4.2012

**JUDGEMENT**

Dated 2.4.2012

Seen a petition for withdrawal of the Civil Suit No.53/2012 filed by plaintiff Shri Vanlalsiama S/o Thanhnuna (L) R/o Zemabawk, Aizawl through his learned counsel Shri Reuben L.Tochhawng under order 23, Ruled 3 of the Code of Civil Procedure 1908 with a liberty to filed afresh.

The petition/application is duly accompanied by necessary court fees stamps and an Affidavit.

I have heard the learned counsel Shri Reuben L.Tochhawng who submitted that as the defendants and his client has made an agreement for payment of sum amount of money to the plaintiff by the defendant, the present application is filed for withdrawal of the C.S.No.53/2011 as per the provision contained under Order 23, Rule 3 of Code of Civil Procedure 1908 with a permission to file afresh the suit in respect of the subject matter of the suit.

I have perused materials available on record. On careful consideration of the submission, this court is of the opinion to pass an order permitting the plaintiff to withdraw his case with a permission further to file afresh in respect of the subject matter of the suit in the event of non-performance of the said agreement which according to it is to be fulfilled by the defendants.

Accordingly, the present suit No.53/2011 stands withdrawn and disposed of.

Give copy of this order to all concerned.

Given under my hand and seal of this court on this 2<sup>nd</sup> April, 2012.

**Sd/-R.VANLALENA**

Senior Civil Judge -2

Aizawl District : Aizawl

Memo No. /SCJ-II(A)/2012 : Dated Aizawl, the 2<sup>nd</sup> April, 2012.

Copy to:

1. The District and Sessions Judge, Aizawl District for information.
2. Vanlalsiama, S/o Thanhnuna (L), R/o Zemabawk, Aizawl, Mizoram.
3. Lalpianthanga, S/o Chawngchhunga R/o Dinthar, Aizawl, Mizoram.
4. Vanhnuaithanga S/o Hrankhalha (L), Tuikhuahtlang, Aizawl.
5. Sama S/o S.Hiato, Chaltlang, Aizawl.
6. Shri Reuben L.Tochhawng, Advocate concerned.
7. Shri Lallianzuala Sailo, Advocate concerned.
8. Registry section.
9. Case record.

**PESHKAR**

