

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

Civil Suit No.23/2012

Thansiami Rawna
W/o V.L.Rawna (L)
Seventh Day Tlang, AizawlPlaintiff.

- Vrs -

1. Thantluanga
S/o Hauva (L)
Upper Kanan, Aizawl.
2. Lalmangaihi
Ex-W/o Lalremruata,
Kanan veng, Aizawl Defendants.
3. The Secretary to the Govt. of Mizoram
Land Revenue & Settlement Department,
Aizawl.
4. The Director,
Land Revenue & Settlement Department,
Govt. of Mizoram,
Aizawl.
4. The Asst. Settlement Officer –I,
Land Revenue & Settlement Department,
Aizawl.Proforma Defendant.

BEFORE
R.VANLALENA, Senior Civil Judge-II

For the Plaintiff : Shri L.H.Lianhrima & Ors, Advocates.
For the Defendants : Asst. Govt. Advocates for Def.No.3-5
Date of Judgement : 13.7.2012

JUDGEMENT / ORDER

13.7.2012

The facts of the case leading to the filing of the instant Civil Suit No.23 of 2012 as reflected in the plaint may be briefly stated as below :-

The plaintiff is a permanent resident of Seventh Day Tlang, Chawnpui Aizawl and lived with her son David Lalramngheta who was mentally unsound due to road traffic accident. The defendant No.1 on the other hand is an authorised Dealer of Hyundai Motors and is a permanent resident of Chawnpui Aizawl while defendant no.2 used to live in the neighborhood with her family and became closely associated with the plaintiff and her family. In fact, the Defendant No.1 used to be a student at Dawrpui Middle School, Aizawl where the plaintiff worked as a teacher there. The plaintiff is the legal and lawful owner of LSC No.144 of 1971 with an area of 0.36 bighas located at Chawnpui, Aizawl. In fact the plaintiff had allowed her tenants to construct a temporary house building at their own expenses and recover the same from the monthly rental fees of the said building. Hence

the plaintiff used to collect rental fees from her tenants every month. The plaintiff took a loan of Rs.3,00,000/- from the defendant no.1 on 4th January 2000 to be paid within six months with interest @ 10% per annum and the plaintiff mortgaged her LSC No.144 of 1971 as a security for the loan. In due course of time, the plaintiff paid Rs.1,00,000/- to the defendant No.1 on 1st October 2000. Thereafter she paid Rs.5,000/- and Rs.40,000/- to the defendant no.1 on two installments. However the plaintiff could not pay the remaining balance. By taking advantage of this, the defendant No.1 did not allow the plaintiff to take back/redeem the mortgaged landed property covered by LSC No.144 of 1971 which was approximately valued much more than the loan borrowed. Hence the plaintiff filed the instant suit for redemption of LSC No.144 of 1971 with the prevailing bank rate of interest and direction to the defendant No.1 to give back the original LSC No.144 of 1971 to the plaintiff.

On the other hand, the defendant had been summoned but failed to file their written statements. In the meantime the plaintiff through her Ld. Counsels orally prayed for withdrawal of the instant suit stating that the matter has been amicably settled between the plaintiff and the defendants outside this court.

As the matter has been amicably settled between the parties, the case need not be proceeded further. Hence the prayer of the plaintiff for withdrawal of the instant suit is allowed.

Accordingly the instant suit stands withdrawn and thus disposed of.

Furnish free copy of this order to all concerned.

Sd/-R.VANLALENA
Senior Civil Judge – II
Aizawl District : Aizawl.

Memo No..... /SCJ-II(A)/2012: Dated Aizawl the 13th July,2012.
Copy to:

1. The District and Sessions Judge, Aizawl District for information.
2. Thansiami Rawna, W/o V.L.Rawna (L), Seventh Day Tlang, Aizawl C/o Shri L.H.Lianhrima & Ors, Advoates.
3. Thantluanga, S/o Hauva (L) Upper Kanan, Aizawl.
4. Lalhmangaihi, Ex-W/o Lalremruata, Kanan veng, Aizawl
5. The Secretary to the Govt. of Mizoram, Land Revenue & Settlement Department, Aizawl through Asst. Govt. Advocates.
6. The Director, Land Revenue & Settlement Department, Govt. of Mizoram, Aizawl through Asst. Govt. Advocates.
7. The Asst. Settlement Officer –I, Land Revenue & Settlement Department,Aizawl through Asst. Govt. Advocates.
8. Registry Section.
9. Case record.

