

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

Civil Suit No.8/05

1. Smt. Saikungi
D/o Saingenga (L)
Hunthar veng, Aizawl.
2. Smt. Saihnuni
D/o Saingenga (L)
Hunthar veng, Aizawl.

.....Plaintiff

-Versus-

1. State of Mizoram
Through the Chief Secretary to the
Govt. of Mizoram, Aizawl.
2. The Secretary to the Govt. of Mizoram,
Revenue Department, Aizawl.
3. The under Secretary to the Govt. of Mizoram
Revenue Department, Aizawl.
4. Director,
Land Revenue & Settlement Department,
Govt. of Mizoram, Aizawl.
5. The Deputy Commissioner,
6. Land Revenue & Settlement Department,
Govt. of Mizoram, Aizawl.
7. The Assistant Settlement Officer-I
Land Revenue & Settlement Department,
Govt. of Mizoram, Aizawl.
8. Rosiamliani,
Fire Service Quarter,
Hunthar Veng, Aizawl.

..... Defendants.

BEFORE

R.VANLALENA, Senior Civil Judge

For the Plaintiff : Shri Saihmingliana Sailo, Advocate.
For the Defendants: Shri R.K.Malsawmkima and Shri Joseph
Lalfakawma, Asst. Govt. advocates for
Def.No.1-7.
Shri Rualkhuma Hmar, Advocate for Def.No.8.

JUDGEMENT ORDER

Dated 6.3.2012

Plaintiff are present through their Id. Counsel Shri Saihmingliana Sailo, Advocate.

Defendants No.1-7 are present through Id. Asst. Gpvt. Advocates – Shri R.K.Malsawmkima and Shri Joseph Lalfakawma.

Defendant No.8 Smt. Rosiamliani is present through her Id. Counsel Shri Rualkhuma Hmar.

The present suit is for setting aside the orders/letters vide Memo No.C.13016/W-21/02-DISP/DTE(REV) dated Aizawl the 28th January 2005 and for declaration that the building constructed by Smt. Saikungi is within the area covered by LSC No.187 of 1970 and that the LSC No.1104/95 is issued having an area bigger than the area sold by Saihnuni and also for cancellation of the said LSC No.1104/95 and for other consequential reliefs.

.....2/-

Ld. Counsel Shri Saihmingliana Sailo orally prayed this court to grant him a permission to withdraw the present suit with its all claims with liberty to institute a fresh suit in respect of the subject matter of the suit stating further that there is a ray of hope for settlement of the suit between the plaintiff and the private defendants outside the court.

I have considered his submission. I have also perused materials available on record. This court is of the opinion from the submissions of the ld. Counsel for the plaintiff to allow the plaintiffs to withdraw the present suit with liberty to institute a fresh suit in respect of the subject-matter of the suit as per the provision of Order 23, Rule 1 of Code of Civil Procedure 1908.

Hence this suit stands withdrawn and disposed of.

Give copy of this order to all concerned.

Sd/-R.VANLALENA
Senior Civil Judge -2
Aizawl District : Aizawl

Memo No. /SCJ-II(A)/2012 : Dated Aizawl, the 6th March,2012.

Copy to:

1. The District and Sessions Judge, Aizawl District for information.
2. Smt. Saikungi, D/o Saingenga (L) Hunthar veng, Aizawl.
3. Smt. Saihnuni, D/o Saingenga (L), Hunthar veng, Aizawl.
4. State of Mizoram through the Chief Secretary to the Govt. of Mizoram, Aizawl through Shri R.K.Malsawmkima, Asst. Govt. Advocate.
5. The Secretary to the Govt. of Mizoram, Revenue Department, Aizawl through Shri R.K.Malsawmkima, Asst. Govt. Advocate
6. The under Secretary to the Govt. of Mizoram, Revenue Department, Aizawl through Shri R.K.Malsawmkima, Asst. Govt. Advocate
7. Director, Land Revenue & Settlement Department, Govt. of Mizoram, Aizawl through Shri R.K.Malsawmkima, Asst. Govt. Advocate
8. The Deputy Commissioner, Land Revenue & Settlement Department, Govt. of Mizoram, Aizawl through Shri R.K.Malsawmkima, Asst. Govt. Advocate
9. The Assistant Settlement Officer-I, Land Revenue & Settlement Department, Govt. of Mizoram, Aizawl through Shri R.K.Malsawmkima, Asst. Govt. Advocate
10. Rosiamliani, Fire Service Quarter, Hunthar Veng, Aizawl.
11. Shri R.K.Malsawmkima, and Shri Joseph Lalfakawma, Asst. Govt. Advocates.
12. Shri Saihmingliana Sailo, Advocate concerned.
13. Shri Rualkhuma Hmar, Advocate concerned.
14. Registry section.
15. Case record.

PESHKAR

