

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

Title Suit No. 1/2009

Zonunsiami,
(A.K.A. Nunui)
D/o Vanlalruala,
Chanmari West,
Aizawl, Mizoram

.....Plaintiff.

-Versus-

1. Saichhingpuii,
W/o Lalthanzauva Chawngthu (L)
Maubawk Venglai, T-60
Aizawl, Mizoram.
2. Sangthanthuama,
R/o Lawipu Veng,
Aizawl, Mizoram.
3. Thanzawna
S/o Thangchuanga,
R/o Chanmari West,
Aizawl, Mizoram.
4. The State of Mizoram
Through The Chief Secretary to the Govt. of Mizoram,
Aizawl.
5. The Secretary to the Govt. of Mizoram,
Land Revenue & Settlement Department,
Mizoram, Aizawl.
6. The Director,
Land Revenue & Settlement Department,
Govt. of Mizoram, Aizawl.

..... Defendants.

BEFORE

R.VANLALENA, Senior Civil Judge

For the Plaintiff :Shri Rualkhuma Hmar & ors, Advocates.

For the Defendants :Shri L.H.Lianhrima. Advocate for Def.no.1-3
Asst. Govt. Advocates for Def.no.4-6.

ORDER

12.3.2012

Ld. Counsel Shri Lalawmpuia Ralte present on behalf of the plaintiff.
Ld. Counsel shri Lalhriatpuia present on behalf of defendant No.1-3.
Ld. Counsels Shri R.K.Malsawmkima and Shri Joseph Lalfakawma,
Asst. Govt. Advocates present on behalf of defendants No.4,5&6.
Today is fixed for preliminary hearing on maintainability of the present suit.

The present suit is filed before this court for declaration of title over the land and building covered by Land Settlement certificate No.AZL-817/91 located at Chanmari 'W' Aizawl and for other consequential reliefs.

I have heard ld.d counsel Shri Lalawmpuia Ralte who submitted that the present suit may be maintained as there is prima facie case against the

defendants. I have also heard the ld. Counsels Shri Lalhriatpuia and R.K.Malsawmkima who both submitted that the present suit may be dismissed as the plaintiff did not follow the mandatory provision of section 80 Code of Civil Procedure 1908 in order to file suit against state.

I have considered the submissions of all counsels. I have also perused materials available on record. This court is of the opinion to pass an order granting the permission to withdraw the present suit with liberty to file afresh on the subject matter of the suit as prayed for by the ld. Counsel for the plaintiff.

Accordingly, permission is hereby granted to the plaintiff to withdraw his suit with liberty to filed afresh on the subject matter of the suit as per the provision of Order 23, of CPC.

Case stands withdrawn.

Give copy of this order to all concerned.

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

Memo No..... /SCJ-I(A)/2012 :Dated Aizawl, the 12th March,2012.

Copy to:

1. The District and Sessions Judge, Aizawl Judicial District, Aizawl.
2. Zonunsiami, (A.K.A. Nunui) D/o Vanlalruala, Chanmari West, Aizawl, Mizoram
3. Saichhingpuii, W/o Lalthanzauva Chawngthu (L), Maubawk Venglai, T-60, Aizawl, Mizoram.
4. Sangthanthuama, R/o Lawipu Veng, Aizawl, Mizoram.
5. Thanzawna, S/o Thangchuanga, R/o Chanmari West, Aizawl, Mizoram.
6. The State of Mizoram, Through The Chief Secretary to the Govt. of Mizoram, Aizawl through Asst. Govt. Advocates.
7. The Secretary to the Govt. of Mizoram, Land Revenue & Settlement Department, Mizoram, Aizawl through Asst. Govt. Advocates.
8. The Director, Land Revenue & Settlement Department, Govt. of Mizoram, Aizawl through Asst. Govt. Advocates.
9. Shri Rualkhuma Hmar & ors, Advocate concerned.
10. Shri L.H.Lianhrima & ors, Advocates concerned.
11. Asst. Govt. Advocates.
12. Case record.

PESHKAR

