

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

**Civil Misc.No.48/12 Arising out of Civil Suit No.15/2012**

J.Pazawna

.....Plaintiff.

-Vrs-

State of Mizoram & Ors

..... Defendants.

**BEFORE**

**R.VANLALENA, Senior Civil Judge**

For the Plaintiff: Shri Nelson Sailo & Smt.Dinary T.Azyu,  
Advocates.

For the Defendants: Asst. Govt. Advocates and  
Shri S.L.Thansanga, Advocate.

**ORDER**

**21.5.2012**

Parties are present through respective Id. Counsels.

Today is fixed for hearing on the petition filed for temporary injunction by the plaintiff/petitioner in CMA No.48/2012 A/o C.S.No.15/2012.

Ld. Counsel Smt. Dinari T.Azyu submitted that the applicant had been allotted a land covered by House Pass No.216 of 1957 by the then Mizo District Council which covered 12.43 bighas as per the boundary demarcation. However, the area had been wrongly shown as 2(two) bighas. Lately, the Government of Mizoram issued House Passes/LSCs to all the instant private defendants numbering 21. Hence the plaintiff/applicant instituted C.S.No.15 of 2012 in the court of Sr.civil Judge-2, Aizawl. As the matter has been under scanner and is being proceeded defendants may be enjoined to not develop, to sell or to have new construction in respect of their respective lands within the suit land until final disposal of the suit (C.S.No.15 of 2012) for the interest of the suit.

On the other hand, learned counsel Shri K.Kawlkhumma and Shri Joseph Lalzahawma objected to the temporary injunction application stating that the application is not maintainable in its present form and style, and that the defendants have obtained their respective House Passes/LSCs duly issued by competent authority after codal formalities are duly followed, hence there is no question of granting an injunction against all the defendants.

On hearing both sides, this court has come to a conclusion to grant a temporary injunction in favour of the applicant for restraining all the private defendants from selling, disposing of, developing, by construction of any permanent structure in respect of the suit lands until final disposal of the suit.

Hence, temporary injunction is granted accordingly.

With this, the application stands disposed of.

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

Memo No.....SCJ- II(A)/2012: Dated Aizawl the 21<sup>st</sup> May,2012.  
Copy to:

1. Shri R.K.Malsawmkima and Shri Joseph Lalfakawma, Asst. Govt.  
Advocates.
2. Shri Nelson Sailo & Ors., Advocate concerned.
3. Shri S.L.Thansanga, Advocate concerned.
4. Case record.

**PESHKAR**