

**IN THE COURT OF SENIOR CIVIL JUDGE- 1  
AIZAWL DISTRICT: AIZAWL, MIZORAM**

*MONEY SUIT NO. 58 OF 2010*

*Plaintiff:*

Smt. Lalfakawmi  
D/o Liansawma (L)  
Electric Veng, Aizawl

*By Advocate's* : Smt. Lilyparmawii Hmar

*Versus*

*Defendant:*

Smt. Zohmingliani  
W/o Peter Vanlalduha  
Chandmari, Aizawl

*By Advocate's* : Miss N. Lalzawmliani

Date of hearing/arguments : 12-12-2011

Date of Judgment & Order : 12-12-2011

**BEFORE**

Dr. H.T.C. LALRINCHHANA, Sr. CJ- 1

**JUDGMENT & ORDER**

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By executing a Bond, the defendant had borrowed Rs. 10,00,000/- (Ten lakhs) from the plaintiff on 13/7/2009 with a condition to repay the same with interest within three months from the date of execution of the said Bond by mortgaging the landed property under LSC No. 104501/01/730 of 2007.

Although issues were framed on the basis of pleadings of both parties and taken available evidences viz. oral and documentary of both parties, learned counsels of both parties appeared on 12/12/2011 for oral arguments. Learned counsel for the defendant fairly admitted the terms of their loan bond with conditions for mortgaged landed property by supplementing that the mortgaged property will meet the debt amount.

Upon hearing of both parties and on perusal of case records, I am satisfied that no issues on any question of law or of fact had arisen in the instant suit for further proceeding of the case. O. XII, R. 6 of the CPC reads thus-

**“6. Judgment on admissions—** (1) Where admissions of fact have been made either in the pleading or otherwise, whether orally or in writing, the Court may at any stage of the suit, either on the application of any party or of its own motion and without waiting for the determination of any other question between the parties, make such order or give such judgment as it may think fit, having regard to such admissions.

(2) Whenever a judgment is pronounced under sub-rule (1) a decree shall be drawn upon in accordance with the judgment and the decree shall bear the date on which the judgment was pronounced.”

Hence, by virtue of O. XII, R. 6 of the CPC, it is hereby ORDERED and DECREED that the plaintiff is entitled as the rightful owner of the mortgaged property by foreclosing the said mortgaged property mentioned below –

*LSC No. 104501/01/730 of 2007*

*Area- 164.30 Sq. m*

*Location- Tlangnuam venga pro-road leh ama ram tho leh kawr inkar ah.*

In the above terms, the case shall stand disposed of. Parties are directed to bear their own costs.

Give this copy with decree to all concerned.

Given under my hand and seal of this court on this 12<sup>th</sup> December, 2011 Anno Domini within the premises and during the working hours of this court and is pronounced in an open court.

**Dr. H.T.C. LALRINCHHANA**

Senior Civil Judge- 1

Aizawl District: Aizawl

Memo No. MS/58/2011, Sr. CJ (A)/

Dated Aizawl, the 12<sup>th</sup> Dec., 2011

Copy to:

1. Smt. Lalfakawmi D/o Liansawma (L), Electric Veng, Aizawl through Smt. Lilyparmawii Hmar, Adv.
2. Smt. Zohmingliani W/o Peter Vanlalduha, Chandmari, Aizawl through Miss N. Lalzawmliani, Adv.
3. P.A. to Hon'ble District & Sessions Judge, Aizawl Judicial District: Aizawl
4. Case record.

PESKAR