

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

REVIEW PETITION NO. 02 OF 2010
[IN RFA NO. 28 OF 2008]

Petitioner:

Smt. Lalthansangi
W/o Sangzuala Ralte (L)
Kolasib Venglai, Kolasib

By Advocates : 1. Mr. C. Lalrinchhunga
2. Mr. H. Lalmuankima

Versus

Respondent's:

1. Smt. Nancy Lalchhuanmawii
D/o Sangzuala Ralte (L)
Thuampui, Aizawl
2. Smt. Vicky Lalremruati (L)
D/o Sangzuala Ralte (L)
Thuampui Aizawl
Through Lrs.

By Advocate's : Mr. Lalrammuana Khawlhiring

Date of Hearing : 03-05-2012

Date of Order : 03-05-2012

BEFORE

Dr. H.T.C. LALRINCHHANA, MJS
Senior Civil Judge-1
Aizawl District: Aizawl

ORDER

INTRODUCTORY

As per the Notification issued by the Govt. of Mizoram under No. A. 51011/3/06- LJE Dated Aizawl, the 1st Dec., 2011 in pursuance of the resolution adopted by the Hon'ble Administrative Committee of Gauhati High Court dt. 1/11/2011 and in accordance with the later circular issued by the Hon'ble District Judge, Aizawl Judicial District, Aizawl under No. A. 22017/14/2009- DJ (A), Aizawl, the 5th Dec., 2011, case record being

pending appellate case in the previous District Council Court, Aizawl is endorsed to me and proceed in this court. These all are the outcome of the nascent insulation of judiciary from the executives in Mizoram towards meeting globalization era in the very competitive globe where malfunctioning of the government is a sine quo non to vanish.

FINDINGS AND ORDER

Case record is put up as prayed by learned counsels of both parties, learned counsels of both parties fairly submitted that the entire previous proceedings in the instant crux was not sustainable in law and laches due to territorial jurisdiction of courts, they therefore prayed to set aside all the previous proceedings by giving liberty to file a fresh suit to parties in the same cause of action.

So is the joint submissions parties and on perusal of case record, justice will certainly meet if granted the joint submissions.

Thus, the previous order passed by the District Council Court in RFA No. 28 of 2008 Dt. 22.2.2010, judgment & orders passed by the learned Additional/Subordinate District Council Court in H/C No. 451 and 478 of 2007, finality in Probate Case No. 14 of 2007 and orders in Execution Petition No. 1 of 2007 and other connected case with the instant case are hereby set aside and quashed. Parties are therefore leave liberty to file a fresh suit in the same cause of action in due course of time in the appropriate court of law.

With this order, the case shall stand disposed of.

Give this copy to all concerned.

Given under my hand and seal of this court on this 3rd May, 2012 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. Rev. Pet./2/2010, Sr. CJ (A)/ Dated Aizawl, the 3rd May, 2012

Copy to:

1. Smt. Lalthansangi W/o Sangzuala Ralte (L), Kolasib Venglai, Kolasib through Mr. C. Lalrinchhunga, Adv.
2. Smt. Nancy Lalchhuanmawii D/o Sangzuala Ralte (L), Thuampui, Aizawl through Mr. Lalrammuana Khawlhing, Adv.

3. Smt. Vicky Lalremruati (L) D/o Sangzuala Ralte (L), Thuampui Aizawl
4. Through Lrs. through Mr. Lalrammuana Khawlhing, Adv.
5. P.A. to Hon'ble District Judge, Aizawl Judicial District- Aizawl
6. Case record

PESKAR