GAHC010241272026

2026:GAU-AS:16505

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : FAO/90/2026

M/S SURYA KANTA SINGH AND ANR
A PROPRIETORSHIP FIRM, REPRESENTED BY SHRI SURYA KANT SINGH, S/O LATE RAM NAGINA SINGH, S/O LATE RAM NAGINA SINGH, HAVING ITS OFFICE AT SAIBARI, DHEKIAJURI, A.T. ROAD, HIJUGURI, P.O., P.S. AND DISTRICT- TINSUKIA, ASSAM, PIN- 786125

2: SURYA KANTA SINGH
S/O LATE RAM NAGINA SINGH
RESIDENT OF SAIBARI
DHEKIAJURI
HIJUGURI
P.O.
P.S. AND DISTRICT- TINSUKIA
ASSAM
PIN- 78612

VERSUS

DELHI PUBLIC SCHOOL, DULIAJAN AND ANR
AFFILIATED WITH C.B.S.E, DELHI VIDE AFFLIATION CODE NO. 230040, C.B.S.E. SCHOOL CODE- 35125, REPRESENTED BY ITS PRINCIPAL, HAVING ITS ADDRESS AT NEAR BUS STAND, DULIAJAN, P.O. AND P.S.- DULIAJAN, DISTRICT- DIBRUGARH, ASSAM

2:RUPJYOTI SAIKIA
THE PRINCIPAL
DELHI PUBLIC SCHOOL
DULIAJAN
HAVING ITS ADDRESS AT NEAR BUS STAND
DULIAJAN
P.O. AND P.S.- DULIAJAN
DISTRICT- DIBRUGARH
ASSA

Advocate for the Petitioner : MR. A K GUPTA, R BORAH

Advocate for the Respondent : MR. A SARMA (FOR CAVEATOR), MR. K KALITA (FOR CAVEATOR),MR. M HUSSAIN (FOR CAVEATOR)

Linked Case : I.A.(Civil)/3937/2026

M/S SURYA KANTA SINGH AND ANR
A PROPRIETORSHIP FIRM
REPRESENTED BY SHRI SURYA KANT SINGH
S/O LATE RAM NAGINA SINGH
S/O LATE RAM NAGINA SINGH
HAVING ITS OFFICE AT SAIBARI
DHEKIAJURI
A.T. ROAD
HIJUGURI
P.O.
P.S. AND DISTRICT- TINSUKIA
ASSAM
PIN- 786125

2: SURYA KANTA SINGH
S/O LATE RAM NAGINA SINGH
RESIDENT OF SAIBARI
DHEKIAJURI
HIJUGURI
P.O.
P.S. AND DISTRICT- TINSUKIA
ASSAM
PIN- 786125
VERSUS

DELHI PUBLIC SCHOOL
DULIAJAN AND ANR
AFFILIATED WITH C.B.S.E
DELHI VIDE AFFLIATION CODE NO. 230040
C.B.S.E. SCHOOL CODE- 35125
REPRESENTED BY ITS PRINCIPAL
HAVING ITS ADDRESS AT NEAR BUS STAND
DULIAJAN
P.O. AND P.S.- DULIAJAN
DISTRICT- DIBRUGARH
ASSAM

2:RUPJYOTI SAIKIA
THE PRINCIPAL
DELHI PUBLIC SCHOOL
DULIAJAN
HAVING ITS ADDRESS AT NEAR BUS STAND
DULIAJAN
P.O. AND P.S.- DULIAJAN
DISTRICT- DIBRUGARH
ASSAM

Advocate for : MR. A K GUPTA
Advocate for : MR. A SARMA (FOR CAVEATOR) appearing for DELHI PUBLIC SCHOOL
DULIAJAN AND ANR

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 11.11.2026

1. Heard Mr. A. K. Gupta, learned counsel for the appellants. Also heard Mr. A. Sarma, learned counsel appearing for both the respondents.

2. This is an application under Order 43 Rule 1(r) of the Code of Civil Procedure, 1908 challenging the Order dated 16.10.2026, passed by the learned Civil Judge (Sr. Division), Dibrugarh in Misc.(J) Case No.188/2026 arising out of Title Suit No.134/2026.

3. On 07.10.2026, an ad-interim injunction was granted and for certain reasons, on 16.10.2026 that order was vacated.

4. Now, the case is posted on 17.11.2026 for filing of written objection for the final hearing.

5. Since the matter is posted on 17.11.2026 for final hearing, let the parties

take part in the hearing before the Trial Court.

6. With the aforesaid direction, this Appeal is closed and disposed of along with the connected Interlocutory Application.

JUDGE

Comparing Assistant