

GAHC010047352024



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

Case No. : I.A.(Civil)/953/2024

SALEQUE UDDIN @ SALEH AHMED AND 22 ORS.

R/O- VILL.- KATIGORAH PART-I, P.O. GONGAPUR, P.S. KATIGORAH, DIST.-
CACHAR, ASSAM, PIN- 788804

2: JALAL UDDIN @ KABIR UDDIN
R/O- VILL.- KATIGORAH PART-I
P.O. GONGAPUR
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788804.

3: BADRUL HAQUE @ BADRUL UDDIN
R/O- VILL.- KATIGORAH PART-I
P.O. GONGAPUR
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788804.

4: NAZRUL UDDIN @ NAZRUL ISLAM
S/O- LATE SAMSUDDIN
R/O- VILL.- KATIGORAH PART-I
P.O. GONGAPUR
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788804.

5: KULSUMA BEGUM
R/O- VILL.- KATIGORAH PART-I
P.O. GONGAPUR
P.S. KATIGORAH
DIST.- CACHAR

ASSAM
PIN- 788804.

6: KARIMA BEGUM
R/O- VILL.- KATIGORAH PART-I
P.O. GONGAPUR
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788804.

7: ALSUMA BEGUM
R/O- VILL.- KATIGORAH PART-I
P.O. GONGAPUR
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788804.

8: SALEMA BEGUM
R/O- VILL.- KATIGORAH PART-I
P.O. GONGAPUR
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788804.

9: NAZMA BEGUM
D/O- LATE SAMSUDDIN
R/O- VILL.- KATIGORAH PART-I
P.O. GONGAPUR
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788804.

10: MD. JAMAL UDDIN
S/O- LATE ABDUL MONAF AND LATE JOYGUN BIBI
R/O- VILL.- BARAITOLI PART-V
P.O. HILARA
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788815.

11: MD. ABDUL LATIF
S/O- LATE ABDUL MONAF AND LATE JOYGUN BIBI
R/O- VILL.- BARAITOLI PART-V

P.O. HILARA
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788815.

12: MUSSTT. AFIA BEGUM
W/O.- LATE AZIZUR RAHMAN
R/O- VILL.- KATIGORAH PART-III
P.O. AND P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788805.

13: MD. HUSSAIN AHMED
R/O- VILL.- KATIGORAH PART-III
P.O. AND P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788805.

14: MD. AFJAL HUSSAIN
S/O.- LATE AZIZUR RAHMAN
R/O- VILL.- KATIGORAH PART-III
P.O. AND P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788805.

15: MUSSTT. SAHIDA BEGUM
R/O- VILL.- KATIGORAH PART-III
P.O. AND P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788805.

16: MUSSTT. RUSTANA BEGUM
R/O- VILL.- KATIGORAH PART-III
P.O. AND P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788805.

17: MUSSTT. CHABIRA BEGUM
R/O- VILL.- KATIGORAH PART-III
P.O. AND P.S. KATIGORAH
DIST.- CACHAR
ASSAM

PIN- 788805.

18: MUSSTT. ASMA KHATUN
W/O- FAIZUR RAHMAN
R/O- VILL.- KATIGORAH PART-III
P.O. AND P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788805.

19: MUSSTT. MUSLIMA KHATUN
W/O- ABDUR RAHMAN
R/O- VILL. AND P.O. HARTIKAR
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788805.

20: MUSSTT. AKLIMA KHATUN @ AKLIMA BEGUM
W/O- ALAUDDIN
R/O- VILL.- KATIGORAH PART-III
P.O. AND P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788805.

21: MUSSTT. CHALIMA KHATUN @ CHALIMA BEGUM
W/O- SARAFAT ALI
R/O- VILL.- KALAIN
BHAIRABPUR PART-V
P.O. KALAIN
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788815.

22: MUSSTT. FATIMA BIBI
W/O- LATE ASAB ALI
R/O- VILL. AND P.O. GNGAPUR
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788804

VERSUS

ON THE DEATH OF ANWAR UDDIN HIS LEGAL HEIRS MAZIDA BEGUM
AND 4 ORS

W/O LATE ANWAR UDDIN, R/O VILL. BARAITOLI PART-V, P.O. HILARA, P.S.
KATIGORAH, DISTRICT CACHAR, ASSAM, PIN 788815.

2:JAKIR HUSSAIN

S/O LATE ANWAR UDDIN
R/O VILL. BARAITOLI PART-V
P.O. HILARA
P.S. KATIGORAH
DISTRICT CACHAR
ASSAM
PIN 788815.

3:AZAD HUSSAIN

S/O LATE ANWAR UDDIN
R/O VILL. BARAITOLI PART-V
P.O. HILARA
P.S. KATIGORAH
DISTRICT CACHAR
ASSAM
PIN 788815.

4:DILWARA BEGUM

D/O LATE ANWAR UDDIN
R/O VILL. BARAITOLI PART-V
P.O. HILARA
P.S. KATIGORAH
DISTRICT CACHAR
ASSAM
PIN 788815.

5:HAWA BEGUM

D/O LATE ANWAR UDDIN
R/O VILL. BARAITOLI PART-V
P.O. HILARA
P.S. KATIGORAH
DISTRICT CACHAR
ASSAM
PIN 788815

Linked Case : RSA/60/2021

ON THE DEATH OF HAZI SAMSUDDIN HIS LEGAL HEIRS SALEQUE UDDIN
@ SALEH AHMEDAND 23 ORS.

R/O- VILL.- KATIGORAH PART-I
P.O. GONGAPUR
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788804.

2: JALAL UDDIN @ KABIR UDDIN
R/O- VILL.- KATIGORAH PART-I
P.O. GONGAPUR
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788804.

3: BADRUL HAQUE @ BADRUL UDDIN
R/O- VILL.- KATIGORAH PART-I
P.O. GONGAPUR
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788804.

4: NAZRUL UDDIN @ NAZRUL ISLAM
S/O- LATE SAMSUDDIN
R/O- VILL.- KATIGORAH PART-I
P.O. GONGAPUR
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788804.

5: KULSUMA BEGUM
R/O- VILL.- KATIGORAH PART-I
P.O. GONGAPUR
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788804.

6: KARIMA BEGUM
R/O- VILL.- KATIGORAH PART-I
P.O. GONGAPUR
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788804.

7: ALSUMA BEGUM
R/O- VILL.- KATIGORAH PART-I
P.O. GONGAPUR
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788804.

8: SALEMA BEGUM
R/O- VILL.- KATIGORAH PART-I
P.O. GONGAPUR
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788804.

9: NAZMA BEGUM
D/O- LATE SAMSUDDIN
R/O- VILL.- KATIGORAH PART-I
P.O. GONGAPUR
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788804.

10: ON THE DEATH OF MD. ABDUL MONAF
HIS LEGAL HEIRS MD. ANWAR UDDIN
S/O- LATE ABDUL MONAF AND LATE JOYGUN BIBI
R/O- VILL.- BARAITOLI PART-V
P.O. HILARA
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788815.

11: MD. JAMAL UDDIN
S/O- LATE ABDUL MONAF AND LATE JOYGUN BIBI
R/O- VILL.- BARAITOLI PART-V
P.O. HILARA
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788815.

12: MD. ABDUL LATIF
S/O- LATE ABDUL MONAF AND LATE JOYGUN BIBI
R/O- VILL.- BARAITOLI PART-V
P.O. HILARA

P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788815.

13: ON THE DEATH OF AZIZUR RAHMAN
HIS LEGAL HEIRS MUSSTT. AFIA BEGUM
W/O.- LATE AZIZUR RAHMAN
R/O- VILL.- KATIGORAH PART-III
P.O. AND P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788805.

14: MD. HUSSAIN AHMED
R/O- VILL.- KATIGORAH PART-III
P.O. AND P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788805.

15: MD. AFJAL HUSSAIN
S/O.- LATE AZIZUR RAHMAN
R/O- VILL.- KATIGORAH PART-III
P.O. AND P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788805.

16: MUSSTT. SAHIDA BEGUM
R/O- VILL.- KATIGORAH PART-III
P.O. AND P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788805.

17: MUSSTT. RUSTANA BEGUM
R/O- VILL.- KATIGORAH PART-III
P.O. AND P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788805.

18: MUSSTT. CHABIRA BEGUM
R/O- VILL.- KATIGORAH PART-III
P.O. AND P.S. KATIGORAH
DIST.- CACHAR
ASSAM

PIN- 788805.

19: MUSSTT. SUBERA BEGUM
D/O.- LATE AZIZUR RAHMAN
R/O- VILL.- KATIGORAH PART-III
P.O. AND P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788805.

20: MUSSTT. ASMA KHATUN
W/O- FAIZUR RAHMAN
R/O- VILL.- KATIGORAH PART-III
P.O. AND P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788805.

21: MUSSTT. MUSLIMA KHATUN
W/O- ABDUR RAHMAN
R/O- VILL. AND P.O. HARTIKAR
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788805.

22: MUSSTT. AKLIMA KHATUN @ AKLIMA BEGUM
W/O- ALAUDDIN
R/O- VILL.- KATIGORAH PART-III
P.O. AND P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788805.

23: MUSSTT. CHALIMA KHATUN @ CHALIMA BEGUM
W/O- SARAFAT ALI
R/O- VILL.- KALAIN
BHAIRABPUR PART-V
P.O. KALAIN
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788815.

24: MUSSTT. FATIMA BIBI
W/O- LATE ASAB ALI
R/O- VILL. AND P.O. GNGAPUR
P.S. KATIGORAH

DIST.- CACHAR
ASSAM
PIN- 788804.
VERSUS

ON THE DEATH OF MUSSTT. HASANATUN NESSA
HER LEGAL HEIRS MD. RAHIM UDDIN AND 27 ORS.
S/O- LATE HASOR ALI
R/O- LAKHIPUR PART-I
P.O. KALAIN
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788815.

2:MD. RAHMAT ALI
S/O- LATE HASOR ALI
R/O- LAKHIPUR PART-I
P.O. KALAIN
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788815.

3:MD. KARIM UDDIN
S/O- LATE HASOR ALI
R/O- LAKHIPUR PART-II
P.O. KALAIN
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788815.

4:MD. ABDUL GAFUR
S/O- LATE HASOR ALI
R/O- LAKHIPUR PART-II
P.O. KALAIN
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788815.

5:MD. NASIR UDDIN
S/O- LATE HASOR ALI
R/O- LAKHIPUR PART-II
P.O. KALAIN
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788815.

6:MD. SIBAJ UDDIN

S/O- LATE HASOR ALI
R/O- LAKHIPUR PART-II
P.O. KALAIN
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788815.

7:MUSSTT. BILATUN NESSA
D/O- LATE HASOR ALI
R/O- LAKHIPUR PART-II
P.O. KALAIN
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788815.

8:MUSSTT. SAILA BEGUM
D/O- LATE HASOR ALI
R/O- LAKHIPUR PART-II
P.O. KALAIN
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788815.

9:MD. NASIR UDDIN
S/O- ASHAB ALI
R/O- BEHERA PART-VI (TINTIKRI)
P.O. BEHARA
P.S. KATIGORAH
DIST.- CACHAR
ASSAM

10:MD. AHMED UDDIN
S/O- ASHAB ALI
R/O- BEHERA PART-VI (TINTIKRI)
P.O. BEHARA
P.S. KATIGORAH
DIST.- CACHAR
ASSAM

11:MD. TAZ UDDIN
S/O- ASHAB ALI
R/O- BEHERA PART-VI (TINTIKRI)
P.O. BEHARA
P.S. KATIGORAH
DIST.- CACHAR
ASSAM

12:MUSSTT. JARIFA BEGUM
W/O- CHIDUR RAHMAN
R/O- BEHERA PART-VI (TINTIKRI)
P.O. BEHARA

P.S. KATIGORAH

DIST.- CACHAR

ASSAM

13:MUSSTT. ARIFA KHATUN

W/O- MUKHTAR UDDIN

R/O- BURUNGA PART-III

P.O. BEHARA

P.S. KATIGORAH

DIST.- CACHAR

ASSAM

PIN- 788817.

14:MUSSTT. SAJDA KHATUN

W/O- JOURAHIR UDDIN

R/O- BURUNGA PART-III

P.O. BEHARA

P.S. KATIGORAH

DIST.- CACHAR

ASSAM

PIN- 788817.

15:MUSSTT. SUKIA KHATUN

W/O- NURFAR UDDIN

R/O- BURUNGA PART-III

P.O. BEHARA

P.S. KATIGORAH

DIST.- CACHAR

ASSAM

PIN- 788817.

16:MUSSTT. MAJIDA KHATUN

W/O- SAIDUR RAHMAN

R/O- BEHARA PART-III (ALTARPARI)

P.O. BEHARA

P.S. KATIGORAH

DIST.- CACHAR

ASSAM

PIN- 788817.

17:MD. LATIB ALI

S/O- LATE NUR ALI

R/O- VILL.- MAHARAJA BASTI

P.O. HARANGAJAO

DIST.- DIMA HASAO

ASSAM

PIN- 788818.

18:MD. SUYA ALI

S/O- LATE NUR ALI

R/O- VILL.- MAHARAJA BASTI

P.O. HARANGAJAO

DIST.- DIMA HASAO

ASSAM

PIN- 788818.

19:MD. GIYAS UDDIN
S/O- LATE NUR ALI
R/O- VILL.- MAHARAJA BASTI
P.O. HARANGAJAO
DIST.- DIMA HASAO
ASSAM

PIN- 788818.

20:MUSSTT. KUTIMONA KHATUN
D/O- LATE NUR ALI
R/O- VILL.- MAHARAJA BASTI
P.O. HARANGAJAO
DIST.- DIMA HASAO
ASSAM

PIN- 788818.

21:MUSSTT. RAHIMA KHATUN
D/O- LATE NUR ALI
R/O- VILL.- MAHARAJA BASTI
P.O. HARANGAJAO
DIST.- DIMA HASAO
ASSAM

PIN- 788818.

22:MUSSTT. ACHINA BIBI
W/O- LATE NUR ALI
R/O- VILL.- MAHARAJA BASTI
P.O. HARANGAJAO
DIST.- DIMA HASAO
ASSAM

PIN- 788818.

23:MUSSTT. FAZILA KHATUN
W/O- MOIN UDDIN
R/O- VILL.- MAHARAJA BASTI
P.O. HARANGAJAO
DIST.- DIMA HASAO
ASSAM

PIN- 788818.

24:MD. YAKUB ALI
S/O- LATE NUR ALI
R/O- VILL.- LAKHIPUR PART-II
P.O. KALAIN
P.S. KATIGORAH
DIST.- CACHAR
ASSAM

PIN- 788815.

25:MUSSTT. KORBULJAN BIBI @ BIPULA BIBI
W/O- MOSABBIR ALI
R/O- VILL.- SUNDURA
P.O. KALAIN

P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788815.
26:MUSSTT. BIPULA BIBI
W/O- MOSABBIR ALI
R/O- VILL.- SUNDAURA
P.O. KALAIN
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788815.
27:MD. JONAB ALI
S/O- LATE SANUHAR ALI
R/O- VILL.- LAKHIPUR PART-II
P.O. KALAIN
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788815.
28:MUSSTT. SAMSUN NESSA
D/O- LATE SANUHAR ALI
R/O- VILL.- LAKHIPUR PART-II
P.O. KALAIN
P.S. KATIGORAH
DIST.- CACHAR
ASSAM
PIN- 788815.

For the applicant (s) : Mr. U. Choudhury, Advocate

For the respondent (s) : Ms. N. N. Sarma, Advocate

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH
O R D E R

10.05.2024

This is an application under Order XXII Rule 3 of the Code of Civil Procedure, 1908 for substitution of the legal representatives of the deceased appellant No.10 who expired on 05.12.2023.

2. Taking into account that the application has been filed within the period of limitation and further the right to sue continues pursuant to the death of the appellant No.10, this Court substitutes the legal representatives of the appellant No.10 whose names have been duly mentioned at paragraph No.2 to the instant application as appellant No.10 (i), 10 (ii), 10 (iii), 10 (iv) & 10 (v) to the accompanying Appeal.
3. The counsel appearing on behalf of the applicants is directed to file a fresh Memo of Parties before the Registry of this Court and on the basis of the instant order as well as the fresh Memo of Parties, the Registry shall make necessary correction in the cause title and also update the same in the CIS.
4. In view of the above, the I.A. stands disposed of.

JUDGE

Comparing Assistant