

GAHC010051322022



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

**Case No. : I.A.(Civil)/612/2024**

ON THE DEATH OF YUNUS ALI @ INNAS ALI HIS LEGAL HEIRS HASINA  
BEGUM AND ORS  
W/O LATE MD. YUNUS ALI

R/O- VILL.- TATIKATA  
MOUZA AND P.S. MAIRABARI  
DIST.- MORIGAON  
ASSAM  
PIN- 782126.

2: ASHIQUE ELAHI  
S/O LATE MD. YUNUS ALI

R/O- VILL.- TATIKATA  
MOUZA AND P.S. MAIRABARI  
DIST.- MORIGAON  
ASSAM  
PIN- 782126.

3: MD. OLI ULLAH  
S/O LATE MD. YUNUS ALI

R/O- VILL.- TATIKATA  
MOUZA AND P.S. MAIRABARI  
DIST.- MORIGAON  
ASSAM  
PIN- 782126.

4: UBAIDULLAH KHAN  
S/O LATE MD. YUNUS ALI

R/O- VILL.- TATIKATA  
MOUZA AND P.S. MAIRABARI

DIST.- MORIGAON  
ASSAM  
PIN- 782126.  
VERSUS

MD. HAMED ALI AND ORS.  
S/O- LATE ISMAIL KHAN  
R/O- VILL.- MAIRABARI  
MOUZA AND P.S. MAIRABARI  
DIST.- MORIGAON  
ASSAM  
PIN- 782126.

2:MD. KODOM ALI

S/O LATE AKTAR ALI  
R/O- VILL.- MAIRABARI  
MOUZA AND P.S. MAIRABARI  
DIST.- MORIGAON  
ASSAM  
PIN- 782126.

3:MD. ABDUL SATTAR  
S/O- LATE ABBAS ALI  
R/O- VILL.- MAIRABARI  
MOUZA AND P.S. MAIRABARI  
DIST.- MORIGAON  
ASSAM  
PIN- 782126.

4:MD. ABDUL AJIJ  
S/O- LATE ABBAS ALI  
R/O- VILL.- MAIRABARI  
MOUZA AND P.S. MAIRABARI  
DIST.- MORIGAON  
ASSAM  
PIN- 782126.

5:MD. ABDUL BARIK  
S/O- LATE ABBAS ALI  
R/O- VILL.- MAIRABARI  
MOUZA AND P.S. MAIRABARI  
DIST.- MORIGAON  
ASSAM  
PIN- 782126.

6:MD. ABDUL HAMED  
S/O- LATE ABBAS ALI

R/O- VILL.- MAIRABARI  
MOUZA AND P.S. MAIRABARI  
DIST.- MORIGAON  
ASSAM  
PIN- 782126.

7:MD. AINUDDIN  
S/O LATE MOTAB ALI  
RESIDENT OF VILLAGE MAIRABARI  
MOUZA AND PS MAIRABARI  
DIST MORIGAON  
ASSAM 782126

8:MD. MAHAMMAD ALI  
S/O LATE ABDUL RAHIM  
RESIDENT OF VILLAGE MAIRABARI  
MOUZA AND PS MAIRABARI  
782126

9:MD. AHAMMAD ALI  
S/O LATE ABDUL RAHIM  
RESIDENT OF VILLAGE MAIRABARI  
MOUZA AND PS MAIRABARI  
782126

10:MD. SAMED ALI  
S/O- LATE ABDUL RAHIM  
R/O- VILL.- MAIRABARI  
MOUZA AND P.S. MAIRABARI  
DIST.- MORIGAON  
ASSAM  
PIN- 782126.

11:MD. REJAK ALI  
S/O LATE ABDUL RAHIM  
RESIDENT OF VILLAGE MAIRABARI  
MOUZA AND PS MAIRABARI  
782126

12:HAMD ALI  
S/O LATE ABDUL RAHIM  
RESIDENT OF VILLAGE MAIRABARI  
MOUZA AND PS MAIRABARI  
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13:MD. SATTAR ALI  
S/O- LATE ABDUL RAHIM  
R/O- VILL.- MAIRABARI

MOUZA AND P.S. MAIRABARI  
DIST.- MORIGAON  
ASSAM  
PIN- 782126.

14:ABDUL BARIK  
S/O LATE AMZAT ALI

RESIDENT OF VILLAGE MAIRABARI  
MOUZA AND PS MAIRABARI  
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15:ABDUL HYE  
S/O LATE AMZAT ALI

RESIDENT OF VILLAGE MAIRABARI  
MOUZA AND PS MAIRABARI  
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16:ABDUL KARIM  
S/O LATE AMZAT ALI

RESIDENT OF VILLAGE MAIRABARI  
MOUZA AND PS MAIRABARI  
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17:ABDUL MANNAN  
S/O LATE AMZAT ALI

RESIDENT OF VILLAGE MAIRABARI  
MOUZA AND PS MAIRABARI  
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18:MUSST. HAZERA KHATUN  
D/O LATE AMZAT ALI

RESIDENT OF VILLAGE MAIRABARI  
MOUZA AND PS MAIRABARI  
782126

19:MD. MAFIZUL ISLAM  
S/O- LATE IBRAHIM  
R/O- VILL.- MAIRABARI  
MOUZA AND P.S. MAIRABARI  
DIST.- MORIGAON  
ASSAM  
PIN- 782126.

20:MD. ABDUL JALIL  
S/O- LATE IBRAHIM  
R/O- VILL.- MAIRABARI  
MOUZA AND P.S. MAIRABARI  
DIST.- MORIGAON  
ASSAM  
PIN- 782126.

21:HABIBUR RAHMAN  
S/O- LATE IBRAHIM  
R/O- VILL.- MAIRABARI  
MOUZA AND P.S. MAIRABARI  
DIST.- MORIGAON  
ASSAM  
PIN- 782126.

22:MD. MUJIBUR RAHMAN  
S/O- AINUDDIN  
R/O- VILL.- MAIRABARI  
MOUZA AND P.S. MAIRABARI  
DIST.- MORIGAON  
ASSAM  
PIN- 782126.

23:MD. HABIBUR RAHMAN  
S/O- AINUDDIN  
R/O- VILL.- MAIRABARI  
MOUZA AND P.S. MAIRABARI  
DIST.- MORIGAON  
ASSAM  
PIN- 782126.

24:MD. AHAMMAD ALI  
S/O- HAZI SIRAJ ALI  
R/O- VILL.- MAIRABARI  
MOUZA AND P.S. MAIRABARI  
DIST.- MORIGAON  
ASSAM  
PIN- 782126.

25:MD. MAHAMMAD ALI  
S/O- HAZI SIRAJ ALI  
R/O- VILL.- MAIRABARI  
MOUZA AND P.S. MAIRABARI  
DIST.- MORIGAON  
ASSAM  
PIN- 782126.

26:MD. AYUB ALI  
S/O- HAZI SIRAJ ALI  
R/O- VILL.- MAIRABARI  
MOUZA AND P.S. MAIRABARI  
DIST.- MORIGAON  
ASSAM  
PIN- 782126.

27:MD. ABDUL SALAM  
S/O- AINUDDIN  
R/O- VILL.- MAIRABARI  
MOUZA AND P.S. MAIRABARI  
DIST.- MORIGAON  
ASSAM  
PIN- 782126.

28:MD. NURUL HAQUE  
R/O- VILL.- TATIKATA  
MOUZA AND P.S. MAIRABARI  
DIST.- MORIGAON  
ASSAM  
PIN- 782126.

29:MUSST. JUBEDA KHATUN  
W/O LATE YAKUB ALI

RESIDENT OF VILLAGE TITIKATA  
MOUZA AND PS MAIRABARI  
DIST MORIGAON  
ASSAM 782126

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Advocate for : MR. J AHMED  
Advocate for : appearing for MD. HAMED ALI AND ORS.

**BEFORE  
HON'BLE MR. JUSTICE ROBIN PHUKAN**

**ORDER**

**30.10.2024**

Heard Mr. J. Ahmed, learned counsel for the applicants and also heard Mr. S.K. Ghosh, learned counsel for the respondent No.1.

This interlocutory application under Order XXII Rule 9 of the CPC is preferred by the applicants for setting aside the abatement of the appeal against appellant No.24.

Mr. Ahmed, learned counsel for the applicants submits that he is not willing to press this application and the name of appellant No.24 may be struck off from the array of the connected RSA.

In terms of above, this I.A. stands disposed of.

The learned counsel for the applicants shall file the amended memo of appeal after deletion of the name of the applicant No.24 as well as impleadment of the legal representative of the appellant No.26.

**Sd/- Robin Phukan  
JUDGE**

**Comparing Assistant**