

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 AHMED AND 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 (ALTARPAR)  
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.- SUNDAURA  
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**