

GAHC010016822024



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

Case No. : I.A.(Civil)/654/2024

SABUR UDDIN  
S/O LT. BADAR UDDIN  
R/O VILL. ITARBHATA  
MOUZA GHIRAJARI  
P.O. BORBALA  
P.S. HOWLI  
DIST. BARPETA  
ASSAM  
PIN 781316

VERSUS

ABDUL BAREK TALUKDAR AND 14 ORS  
S/O- LATE MAZAM ALI @ MOAZZAM HASEN TALUKDAR  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

2:KHALILUR RAHMAN  
S/O- LATE ASHAN ALI

R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
3:ABDUL MOTALEB

S/O- LATE ASHAN ALI  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

4:MATIYAR RAHMAN  
S/O- LATE ASHAN ALI  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

5:ON THE DEATH OF SAHADAT HUSSAIN  
HIS LEGAL REPRESENTATIVES  
5.1:NURNEHAR BEGUM

W/O- LATE SAHADAT HUSSAIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

5.2:NAZMUL HUSSAIN

S/O- LATE SAHADAT HUSSAIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

5.3:NASIR HUSSAIN

S/O- LATE SAHADAT HUSSAIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM

PIN- 781316.  
5.4:SALIMA KHATUN

D/O- LATE SAHADAT HUSSAIN  
W/O KARIM ALI  
R/O- VILL.-BORBALA  
MOUZA- GHILAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
5.5:HALIMA KHATUN

D/O- LATE SAHADAT HUSSAIN  
W/O JAHIDUL ISLAM  
R/O- VILL.- UTTAR KALI JHAR  
P.S. BARPETA ROAD  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
5.6:SUFIA PARBIN

D/O- LATE SAHADAT HUSSAIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
6:HABEJ UDDIN  
S/O- LATE SABIR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
7:NABJESH ALI  
S/O- LATE SABUR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM

PIN- 781316.  
8:ISMAIL HUSSAIN  
S/O- LATE SABUR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
9:ISMAIL HUSSAIN (BABUL)

S/O- KHALILUR RAHMAN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
10:JAHEDUL HUSSAIN  
S/O- LATE ABDUL MOTALIB  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
11:MD. MAKIM UDDIN  
S/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
12:SAHERA KHATUN  
D/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
13:MAYFUL NESSA

D/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

14:KHUDDEJA NESSA  
D/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

15:BALIJAN NESSA  
D/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

-----  
Advocate for : MR. J AHMED

Advocate for : appearing for ABDUL BAREK TALUKDAR AND 14 ORS

Linked Case : I.A.(Civil)/662/2024

SABUR UDDIN  
S/O LT. BADAR UDDIN  
R/O VIFLL. ITARBHATA  
MOUZA GHIRAJARI  
P.O. BORBALA  
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ABDUL BAREK TALUKDAR AND 14 ORS

S/O- LATE MAZAM ALI @ MOAZZAM HASEN TALUKDAR  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

2:ON THE DEATH OF KHALILUR RAHMAN

HIS LEGAL REPRESENTATIVES  
2.1:PUTULI BEGUM

W/O- LATE KHALILUR RAHMAN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

2.2:NUREJA KHATUN  
D/O- LATE KHALILUR RAHMAN  
W/O NAZIM UDDIN  
R/O- VILL.-KALAHBHANGA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

2.3:FIROZA KHATUN

D/O- LATE KHALILUR RAHMAN  
W/O TAIZUDDIN AHMED  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

2.4:RAHIMA KHATUN

D/O- LATE KHALILUR RAHMAN  
W/O RIAZ UDDIN  
R/O- VILL.- HILAPAGURI

MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

2.5:ISMAIL HUSSAIN (BABUL)  
S/O- LATE KHALILUR RAHMAN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
2.6:MANIK ALI

S/O- LATE KHALILUR RAHMAN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

2.7:DELOWAR HUSSAIN

S/O- LATE KHALILUR RAHMAN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

2.8:AMINA KHATUN

D/O- LATE KHALILUR RAHMAN  
W/O AZMAT ALI KHANM R/O- VILL.- KAMALPUR PAM  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

3:ABDUL MOTALEB  
S/O- LATE ASHAN ALI  
R/O- VILL.- ITARBHATA

MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
4:MATIYAR RAHMAN  
S/O- LATE ASHAN ALI  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
5:SAHADAT HUSSAIN  
S/O- LATE MOKSHED ALI  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
6:HABEJ UDDIN  
S/O- LATE SABIR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
7:NABJESH ALI  
S/O- LATE SABUR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
8:ISMAIL HUSSAIN  
S/O- LATE SABUR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY

DIST.- BARPETA  
ASSAM  
PIN- 781316.  
9:ISMAIL HUSSAIN (BABUL)

S/O- KHALILUR RAHMAN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
10:JAHEDUL HUSSAIN  
S/O- LATE ABDUL MOTALIB  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
11:MD. MAKIM UDDIN  
S/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
12:SAHERA KHATUN  
D/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
13:MAYFUL NESSA  
D/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM

PIN- 781316.  
14:KHUDEJA NESSA  
D/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
15:BALIJAN NESSA  
D/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
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Advocate for : MR. J AHMED  
Advocate for : MR. M A SHEIKH appearing for ABDUL BAREK TALUKDAR AND  
14 ORS

Linked Case : I.A.(Civil)/663/2024

SABUR UDDIN  
S/O LT. BADAR UDDIN  
R/O VIFLL. ITARBHATA  
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ABDUL BAREK TALUKDAR AND 14 ORS  
S/O- LATE MAZAM ALI @ MOAZZAM HASEN TALUKDAR  
R/O- VILL.- ITARBHATA  
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2:ON THE DEATH OF KHALILUR RAHMAN

HIS LEGAL REPRESENTATIVES  
2.1:PUTULI BEGUM

W/O- LATE KHALILUR RAHMAN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

2.2:NUREJA KHATUN  
D/O- LATE KHALILUR RAHMAN  
W/O NAZIM UDDIN  
R/O- VILL.-KALAHBHANGA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

2.3:FIROZA KHATUN

D/O- LATE KHALILUR RAHMAN  
W/O TAIZUDDIN AHMED  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

2.4:RAHIMA KHATUN

D/O- LATE KHALILUR RAHMAN  
W/O RIAZ UDDIN  
R/O- VILL.- HILAPAGURI  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

2.5:ISMAIL HUSSAIN (BABUL)  
S/O- LATE KHALILUR RAHMAN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
2.6:MANIK ALI

S/O- LATE KHALILUR RAHMAN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

2.7:DELOWAR HUSSAIN

S/O- LATE KHALILUR RAHMAN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

2.8:AMINA KHATUN

D/O- LATE KHALILUR RAHMAN  
W/O AZMAT ALI KHANM R/O- VILL.- KAMALPUR PAM  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

3:ABDUL MOTALEB  
S/O- LATE ASHAN ALI  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

4:MATIYAR RAHMAN  
S/O- LATE ASHAN ALI  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

5:SAHADAT HUSSAIN  
S/O- LATE MOKSHED ALI  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

6:HABEJ UDDIN  
S/O- LATE SABIR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

7:NABJESH ALI  
S/O- LATE SABUR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

8:ISMAIL HUSSAIN  
S/O- LATE SABUR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
9:ISMAIL HUSSAIN (BABUL)

S/O- KHALILUR RAHMAN

R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
10:JAHEDUL HUSSAIN  
S/O- LATE ABDUL MOTALIB  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
11:MD. MAKIM UDDIN  
S/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
12:SAHERA KHATUN  
D/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
13:MAYFUL NESSA  
D/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
14:KHUDDEJA NESSA  
D/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA

P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
15:BALIJAN NESSA  
D/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
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Advocate for : MR. J AHMED  
Advocate for : MR. M A SHEIKH appearing for ABDUL BAREK TALUKDAR AND  
14 ORS

Linked Case : I.A.(Civil)/661/2024

SABUR UDDIN

S/O LT. BADAR UDDIN  
R/O VIFLL. ITARBHATA  
MOUZA GHIRAJARI  
P.O. BORBALA  
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DIST. BARPETA  
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VERSUS

ABDUL BAREK TALUKDAR AND 14 ORS  
S/O- LATE MAZAM ALI @ MOAZZAM HASEN TALUKDAR  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
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DIST.- BARPETA  
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2:ON THE DEATH OF KHALILUR RAHMAN

HIS LEGAL REPRESENTATIVES

2.1:PUTULI BEGUM

W/O- LATE KHALILUR RAHMAN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

2.2:NUREJA KHATUN  
D/O- LATE KHALILUR RAHMAN  
W/O NAZIM UDDIN  
R/O- VILL.-KALAHBHANGA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

2.3:FIROZA KHATUN

D/O- LATE KHALILUR RAHMAN  
W/O TAIZUDDIN AHMED  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

2.4:RAHIMA KHATUN

D/O- LATE KHALILUR RAHMAN  
W/O RIAZ UDDIN  
R/O- VILL.- HILAPAGURI  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

2.5:ISMAIL HUSSAIN (BABUL)  
S/O- LATE KHALILUR RAHMAN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA

P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
2.6:MANIK ALI

S/O- LATE KHALILUR RAHMAN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
2.7:DELOWAR HUSSAIN

S/O- LATE KHALILUR RAHMAN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
2.8:AMINA KHATUN

D/O- LATE KHALILUR RAHMAN  
W/O AZMAT ALI KHANM R/O- VILL.- KAMALPUR PAM  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
3:ABDUL MOTALEB  
S/O- LATE ASHAN ALI  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
4:MATIYAR RAHMAN  
S/O- LATE ASHAN ALI  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA

P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
5:SAHADAT HUSSAIN  
S/O- LATE MOKSHED ALI  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
6:HABEJ UDDIN  
S/O- LATE SABIR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
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R/O- VILL.- ITARBHATA  
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9:ISMAIL HUSSAIN (BABUL)

S/O- KHALILUR RAHMAN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
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DIST.- BARPETA

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10:JAHEDUL HUSSAIN  
S/O- LATE ABDUL MOTALIB  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
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11:MD. MAKIM UDDIN  
S/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
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DIST.- BARPETA  
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12:SAHERA KHATUN  
D/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
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DIST.- BARPETA  
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D/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
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14:KHUDAJA NESSA  
D/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
15:BALIJAN NESSA

D/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
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Advocate for : MR. J AHMED  
Advocate for : MR. M A SHEIKH appearing for ABDUL BAREK TALUKDAR AND  
14 ORS

Linked Case : I.A.(Civil)/656/2024

SABUR UDDIN  
S/O LT. BADAR UDDIN  
R/O VIFLL. ITARBHATA  
MOUZA GHIRAJARI  
P.O. BORBALA  
P.S. HOWLI  
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VERSUS

ABDUL BAREK TALUKDAR AND 14 ORS  
S/O- LATE MAZAM ALI @ MOAZZAM HASEN TALUKDAR  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.

2:KHALILUR RAHMAN  
S/O- LATE ASHAN ALI

R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA

ASSAM  
PIN- 781316.  
3:ABDUL MOTALEB  
S/O- LATE ASHAN ALI  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM

PIN- 781316.  
4:MATIYAR RAHMAN  
S/O- LATE ASHAN ALI  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM

PIN- 781316.  
5:ON THE DEATH OF SAHADAT HUSSAIN  
HIS LEGAL REPRESENTATIVES  
5.1:NURNEHAR BEGUM

W/O- LATE SAHADAT HUSSAIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM

PIN- 781316.  
5.2:NAZMUL HUSSAIN

S/O- LATE SAHADAT HUSSAIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM

PIN- 781316.  
5.3:NASIR HUSSAIN

S/O- LATE SAHADAT HUSSAIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA

P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
5.4:SALIMA KHATUN

D/O- LATE SAHADAT HUSSAIN  
W/O KARIM ALI  
R/O- VILL.-BORBALA  
MOUZA- GHILAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
5.5:HALIMA KHATUN

D/O- LATE SAHADAT HUSSAIN  
W/O JAHIDUL ISLAM  
R/O- VILL.- UTTAR KALI JHAR  
P.S. BARPETA ROAD  
DIST.- BARPETA  
ASSAM  
PIN- 781316.  
5.6:SUFIA PARBIN

D/O- LATE SAHADAT HUSSAIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
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PIN- 781316.  
6:HABEJ UDDIN  
S/O- LATE SABIR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
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S/O- LATE SABUR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA

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S/O- LATE SABUR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
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R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
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10:JAHEDUL HUSSAIN  
S/O- LATE ABDUL MOTALIB  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
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S/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
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D/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
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D/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
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DIST.- BARPETA  
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14:KHUDDEJA NESSA  
D/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
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15:BALIJAN NESSA  
D/O- LATE BADAR UDDIN  
R/O- VILL.- ITARBHATA  
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S/O- LATE ASHAN ALI

R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
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S/O- LATE ASHAN ALI  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
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S/O- LATE ASHAN ALI  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
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5:ON THE DEATH OF SAHADAT HUSSAIN  
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W/O- LATE SAHADAT HUSSAIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI

P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
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5.2:NAZMUL HUSSAIN

S/O- LATE SAHADAT HUSSAIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
DIST.- BARPETA  
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5.3:NASIR HUSSAIN

S/O- LATE SAHADAT HUSSAIN  
R/O- VILL.- ITARBHATA  
MOUZA- GHIRAJARI  
P.O. BORBALA  
P.S. HOWLY  
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5.4:SALIMA KHATUN

D/O- LATE SAHADAT HUSSAIN  
W/O KARIM ALI  
R/O- VILL.-BORBALA  
MOUZA- GHILAJARI  
P.O. BORBALA  
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D/O- LATE SAHADAT HUSSAIN  
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R/O- VILL.- UTTAR KALI JHAR  
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P.O. BORBALA

P.S. HOWLY

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S/O- LATE SABIR UDDIN

R/O- VILL.- ITARBHATA

MOUZA- GHIRAJARI

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P.S. HOWLY

DIST.- BARPETA

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7:NABJESH ALI

S/O- LATE SABUR UDDIN

R/O- VILL.- ITARBHATA

MOUZA- GHIRAJARI

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P.S. HOWLY

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S/O- LATE SABUR UDDIN

R/O- VILL.- ITARBHATA

MOUZA- GHIRAJARI

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P.S. HOWLY

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R/O- VILL.- ITARBHATA

MOUZA- GHIRAJARI

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P.S. HOWLY

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10:JAHEDUL HUSSAIN

S/O- LATE ABDUL MOTALIB

R/O- VILL.- ITARBHATA

MOUZA- GHIRAJARI

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Advocate for : MR. J AHMED  
Advocate for : appearing for ABDUL BAREK TALUKDAR AND 14 ORS

**BEFORE  
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

**ORDER**

**05.04.2024**

Heard Mr. J. Ahmed, the learned counsel for the appellant.

2. I.A.(C) No.663/2024; I.A.(C) No.662/2024 and I.A.(C) No.661/2024 are the three applications filed for condonation of delay, setting aside the abatement as well as for substitution of the legal representatives of the proforma respondent No.2.
3. I.A.(C) No.656/2024; I.A.(C) No.655/2024 and I.A.(C) No.654/2024 are applications filed for condonation of delay, setting aside the abatement and for substitution of legal representatives of the proforma respondent Nos.5.
4. It has been stated by Mr. J. Ahmed, the learned counsel for the appellant that the appellant herein is the defendant No.1 in the suit. The suit was decreed against the appellant. Thereupon, an Appeal was preferred by the appellant against the said judgment and decree. As against the dismissal of the said Appeal, the instant Appeal has been filed. The proforma respondent No.2 and proforma respondent No.5 neither filed an Appeal nor are their interests against the interest of the appellant.
5. Under such circumstances, this Court is of the opinion that this Court

that the substitution of the legal representatives of proforma respondent No.2 and proforma respondent No.5 are not necessary in the facts of the instant case.

6. Accordingly, all the six applications stand disposed of.

**JUDGE**

**Comparing Assistant**