

GAHC010040272022



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

Case No. :I.A.(Civil)/958/2022

ON THE DEATH OF MAHIBUL HUSSAIN HIS LEGAL HEIRS RASHAN ARA
BEGUM
W/O LATE MAHIBUL HUSSAIN
R/O BARBARI GAON
JYOTINAGAR
GABHARUPATHAR WARD
PO JALANNAGAR
PS AND DIST. DIBRUGARH
ASSAM
PIN-786005

VERSUS

ABDUL GANI
S/O LATE ABDUL GAFAR
R/O BARBARI GAON
JYOTINAGAR
GABHARUPATHAR WARD
DIBRUGARH TOWN MOUZA PS AND DIST. DIBRUGARH
ASSAM
PIN-786005

Advocate for : MR. B BARUAH
Advocate for : appearing for ABDUL GANI

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN
ORDER

20.09.2024

Heard Mr. B. Baruah, learned counsel for the applicant.

2. This interlocutory application, under Order XXII Rule 9, read with Section 151 of the CPC, is preferred by the applicant for setting aside abatement of the connected appeal.

3. Mr. Baruah, learned counsel for the applicant submits that the connected interlocutory application for condonation of delay in substitution petition has already been allowed by this Court and as such, the abatement may be set aside.

4. Having considered the submissions of learned counsel for the applicant, this Court is inclined to allow this application. Accordingly, the abatement of the connected appeal stands set aside.

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

JUDGE

Comparing Assistant