

GAHC010088172024



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

Case : I.A.(Civil)/1376/2024

ON THE DEATH OF SIKANDAR ALI
HIS LEGAL HEIRS TOSIRAN BEGAM AND ORS

1.1: TOSIRAN BEGAM
W/O LATE SIKANDAR ALI
R/O ANANDABAZAR NO. 1
NEAR ANANDANAGAR MASZID
P.O. AND P.S.-NOONMATI
GUWAHATI
DIST- KAMRUP (M)
ASSAM

1.2: FIZNUR HUSSAIN
S/O LATE SIKANDAR ALI
R/O ANANDABAZAR NO. 1
NEAR ANANDANAGAR MASZID
P.O. AND P.S.-NOONMATI
GUWAHATI
DIST- KAMRUP (M)
ASSAM

1.3: NAJIMUDDIN AHMED

S/O LATE SIKANDAR ALI
R/O ANANDABAZAR NO. 1
NEAR ANANDANAGAR MASZID
P.O. AND P.S.-NOONMATI
GUWAHATI
DIST- KAMRUP (M)
ASSAM
VERSUS

MD. KARIM KAZI

S/O LATE HARMUZ ALI KAZI
VILL- BALAGAON
P.S.-RANGIA
DIST- KAMRUP (ASSAM)
PIN-781354

Advocate for : MR M HOQUE
Advocate for : MR. P P DAS appearing for MD. KARIM KAZI

**BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG**

ORDER

Date : 06.12. 2024

Heard Mr. FU Barbhuiya, learned counsel for the applicants and Mr. S. Das, learned counsel for the sole respondent.

This is an application filed under Order 22 Rue 3 of the CPC, for substitution of the legal heirs of the deceased petitioner in CRP No. 122/2022.

It is submitted that during the pendency of this CRP No. 122/2022, the petitioner has expired. By filing this application, the applicants have prayed for substitution of their names in place of the petitioner in CRP No. 122/2022 as petitioners.

On consideration, this court allowed the prayer of the applicants.

In view of the above, the name of the applicants, namely (1). Toisoran Begam, (2) Fiznur Hussain and (3) Najimuddin as mentioned in paragraph 2 of this petition is substituted in place of the petitioner in CRP No. 122/2022 as the right to sue survives.

The IA stands disposed of.

JUDGE

Comparing Assistant