

GAHC010193262013



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

Case No. : WP(C)/5080/2013

SUKUR ALI
S/O LT. HABIBUR RAHMAN, VILL. TEDHARA PATHAR, P.O. MANDIA, P.S.
BAGHBOR, DIST- BARPETA, ASSAM

VERSUS

THE STATE OF ASSAM AND 7 ORS
THROUGH THE COMMISSIONER AND SECRETARY TO THE GOVT.OF
ASSAM, LAND AND REVENUE DEPARTMENT, DISPUR, GHY-6

2:THE DY. COMMISSIONER
BARPETA
P.O. and DIST- BARPETA
ASSAM

3:THE CIRCLE OFFICER
BAGHBAR REVENUE CIRCLE
MANDIA
P.O. MANDIA
DIST- BARPETA
ASSAM

4:SOMEJ UDDIN
S/O LT. SABUR UDDIN

5:SIRAJUDDIN
S/O LT. SABUR UDDIN

6:DAROG ALI
S/O LT. SABUR UDDIN

7:ABED ALI

S/O LT. AKBAR ALI

8:MAHUD ALI

S/O LT. AKNAR ALI

ALL ARE R/O TEDHARA PATHAR

P.O. MANDIA

P.S. BAGHBOR

DIST- BARPETA

ASSAM

PIN-78130

For the petitioner (s) : Mr. M. Hussain, Advocate

For the respondent (s) : Mr. R. Borpujari, Advocate
Ms. T. Begum, Advocate

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

10.09.2024

The learned counsel appearing on behalf of the petitioner submits that the petitioner had expired long back.

2. Ms. T. Begum, the learned counsel appearing on behalf of the private respondents submits that the petitioner had long expired and the legal representatives know about the instant proceedings but have not chosen to substitute the original petitioner. The learned counsel for the private respondents further submits that the instant case also cannot be maintained taking into account that the order passed by the Board of Revenue dated 28.06.2010 in Case No.49RA(B)/2009 has already attained finality and there is no challenge to the said order.

3. Taking into account the above, this Court is of the opinion that as the legal representatives of the petitioner has not shown any interest in substitution of the original petitioner, this Court is not in a position to

further proceed with the instant writ petition at the instance of a dead person.

4. Accordingly, the instant writ petition stands closed.

JUDGE

Comparing Assistant