GAHC010019182020

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

Case No. : I.A.(Civil)/788/2020

JOYGAN BIBI AND ANR.
W/O- MOZIBAR RAHMAN, R/O- VILL- AIRANJONGLA PART-I, P.O- AMCO ROAD, P.S AND DIST- DHUBRI, ASSAM

2: MOZIBAR RAHMA

VERSUS

NUR JAHAN BEWA AND ORS
W/O. LATE BAIN UDDIN, VILL. AIRANJONGLA PART-I, P.O. AMCO ROAD, P.S. AND DIST. DHUBRI, ASSAM

2:ANJULI KHATUN

3:IKBAL HUSSAIN

4:RAFIQUL ISLAM

5:INZAMUL HAQUE

6:ON THE DEATH OF LATE ATOWAR RAHMAN HIS LEGAL HEIRS

7:BHANU BEWA

8:MD SOLEMAN

9:ATIFUR RAHMAN

10:ANOWAR HUSSAIN

11:ANOWAR HUSSAIN

12:SANOWAR HUSSAIN

13:SOFIOR RAHMAN

14:SALEHA KHATUN

15:MONOWARA KHATUN

16:MINERA KHATUN

17:ON THE DEATH OF FAZILA KHATUN HER LEGAL HEIRS

18:ALI HUSSAIN

19:FAIJAL HOQUE

20:MOFAJJAL

21:ROBIAL

22:AIJAL

23:HAFIZUL (AGED 8 YRS

Advocate for the Petitioner : MR. K K DEY

Advocate for the Respondent : MR G BHARADWAJ

Linked Case : CRP(I/O)/155/2019

JOYGAN BIBI AND ANR.
Address:W/O- MOZIBAR RAHMAN
R/O- VILL- AIRANJONGLA PART-I
P.O- AMCO ROAD
P.S AND DIST- DHUBRI
ASSAM
2: MOZIBAR RAHMAN
Address:S/O- LATE GHATU MOLLAH
R/O- VILL- AIRANJONGLA PART-I
P.O- AMCO ROAD
P.S AND DIST- DHUBRI
ASSAM
VERSUS

ON DEATH OF LATE ATOWAR RAHMAN HIS LEGAL REPRESENTATIVE - BHANU BEWA AND 5 ORS
Address:DHUBRI
ASSAM
1.1:BHANU BEWA
Address:W/O- ATOWAR RAHMAN
R/O- VILL- AIRANJONGLA PART-I
P.O- AMCO ROAD
P.S AND DIST- DHUBRI
ASSAM

1.2:MD SOLEMAN
Address:S/O- ATOWAR RAHMAN
R/O- VILL- AIRANJONGLA PART-I
P.O- AMCO ROAD
P.S AND DIST- DHUBRI
ASSAM

1.3:BAIN UDDIN
Address:S/O- ATOWAR RAHMAN
R/O- VILL- AIRANJONGLA PART-I
P.O- AMCO ROAD
P.S AND DIST- DHUBRI
ASSAM

1.4:ATIFUR RAHMAN
Address:S/O- ATOWAR RAHMAN
R/O- VILL- AIRANJONGLA PART-I

P.O- AMCO ROAD
P.S AND DIST- DHUBRI
ASSAM

1.5:ANOWAR HUSSAIN
Address:S/O- ATOWAR RAHMAN
R/O- VILL- AIRANJONGLA PART-I
P.O- AMCO ROAD
P.S AND DIST- DHUBRI
ASSAM

1.6:SANOWAR HUSSAIN
Address:S/O- ATOWAR RAHMAN
R/O- VILL- AIRANJONGLA PART-I
P.O- AMCO ROAD
P.S AND DIST- DHUBRI
ASSAM

1.7:SOFIOR RAHMAN
Address:S/O- ATOWAR RAHMAN
R/O- VILL- AIRANJONGLA PART-I
P.O- AMCO ROAD
P.S AND DIST- DHUBRI
ASSAM

1.8:MOSTT SALEHA KHATUN
Address:D/O- ATOWAR RAHMAN
W/O- ASHRAF ALI
R/O- VILL- NEWGHAT
P.O- AMCO ROAD
P.S AND DIST- DHUBRI
ASSAM

1.9:MONOWARA KHATUN
Address:D/O- ATOWAR RAHMAN
W/O- AMJAD ALI
R/O- VILL- GASPARA
P.O- DHARAMSHALA
P.S AND DIST- DHUBRI
ASSAM

1.10:MINERA KHATUN
Address:D/O- ATOWAR RAHMAN
R/O- VILL- ARANJONGLA
P.O- AMCO ROAD
P.S AND DIST- DHUBRI
ASSAM

1.11:ON THE DEATH OF LATE FAZILA KHATUN
Address:W/O- ALI HUSSAIN HER LEGAL HEIR REPRESENTATIVE

1.11.1:ALI HUSSAIN
Address:S/O- LATE ROMIZUDDIN
R/O- VILL- BOGULAMARI
P.O- AMCO ROAD
P.S AND DIST- DHUBRI
ASSAM

1.11.2:FAIJAL HOQUE
Address:S/O- ALI HUSSAIN
R/O- VILL- BOGULAMARI
P.O- AMCO ROAD
P.S AND DIST- DHUBRI
ASSAM

1.11.3:MOFAJJAL
Address:S/O- ALI HUSSAIN
R/O- VILL- BOGULAMARI
P.O- AMCO ROAD
P.S AND DIST- DHUBRI
ASSAM

1.11.4:ROBIAL
Address:S/O- ALI HUSSAIN
R/O- VILL- BOGULAMARI
P.O- AMCO ROAD
P.S AND DIST- DHUBRI
ASSAM

1.11.5:AIJAL
Address:S/O- ALI HUSSAIN
R/O- VILL- BOGULAMARI
P.O- AMCO ROAD
P.S AND DIST- DHUBRI
ASSAM

1.11.6:HAFIZUL
Address:S/O- ALI HUSSAIN
R/O- VILL- BOGULAMARI
P.O- AMCO ROAD
P.S AND DIST- DHUBRI
ASSAM

Advocate for : MR. K K DEY
Advocate for : MR G BHARADWAJ appearing for ON DEATH OF LATE ATOWAR RAHMAN HIS LEGAL REPRESENTATIVE - BHANU BEWA AND 5 ORS:

Advocate ,

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1.11.6, respectively.

BEFORE
HONOURABLE MR. JUSTICE PRASANTA KUMAR DEKA

ORDER

Date : 01-12-2020

Heard Mr. V. K. Barooah, learned counsel for the petitioner. Also present Mr. G. Bharadwaj, learned counsel for the opposite parties.

This petition is filed for impleadment of the opposite parties Nos. Nos.1(i), 1(ii), 1(iii),1(iv) and 1(v) as respondent/opp. party Nos. 1(c)(i), 1(c) (ii), 1(c) (iii),1(c) (iv) and 1(c) (v) in the connected CRP (I/O) No. 155/2019. The connected revision petition was filed impleading one Bain Uddin as the respondent 1(c) being the legal heir of late Atowar Rahman. Later on it came to the knowledge of the learned counsel for the petitioner that the legal heirs of late Bain Uddin who are sought to be impleaded by this application in the connected revision petition were already substituted in Title Suit No. 82/2011 pending in the court of learned Munsiff No.1 Dhubri vide order dated 22.11.17 and 30.7.2018. Such being the position, the petitioners have filed this petition for impleadment of said legal representatives of late Bain Uddin as the respondent Nos. 1(c)(i), 1(c) (ii), 1(c) (iii),1(c) (iv) and 1(c) (v) in the connected CRP (I/O) 788/2020.

Mr. Bharadwaj fairly submits that he has no objection for impleadment of the

respondents. Accordingly this petition stands disposed of allowing the prayer of the petitioner for impleadment.

JUDGE

Comparing Assistant