GAHC010154112020

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

Case No. : I.A.(Civil)/1840/2020

ON THE DEATH OF UMAR ALI KHANDAKAR, HIS LEGAL HEIRS
REPRESENTED BY

1.1: ANWARA BEGUM
W/O LATE UMAR ALI KHANDAKAR
VILL-DHARMASALA PART-I
P.O.-DHUBRI
DIST-DHUBRI
ASSAM

1.2: ATAUR RAHMAN
S/O LATE UMAR ALI KHANDAKAR
VILL-DHARMASALA PART-I
P.O.-DHUBRI
DIST-DHUBRI
ASSAM

1.3: ABDUL FARUQE
S/O LATE UMAR ALI KHANDAKAR
VILL-DHARMASALA PART-I
P.O.-DHUBRI
DIST-DHUBRI
ASSAM

1.4: AMITA BIBI
D/O LATE UMAR ALI KHANDAKAR
VILL-DHARMASALA PART-I
P.O.-DHUBRI
DIST-DHUBRI
ASSAM

1.5: UNUSA KHATUN
D/O LATE UMAR ALI KHANDAKAR
VILL-DHARMASALA PART-I

P.O.-DHUBRI
DIST-DHUBRI
ASSA

VERSUS

ON THE DEATH OF AHMED ALI MUNSHI HIS LEGAL HEIRS
REPRESENTED BY

1.1:MUSSTT. GAHARAN BEWA
W/O LATE AHMED ALI MUNSHI
R/O VILL-DHARMASALA PART-I
P.O.-DHUBRI
DIST-DHUBRI
ASSAM
PIN-783301

1.2:MD. ABDUL GAFUR SHEIKH
S/O LATE AHMED ALI MUNSHI
R/O VILL-DHARMASALA PART-I
P.O.-DHUBRI
DIST-DHUBRI
ASSAM
PIN-783301

1.3:MD. ABDUL SAKUR SHEIKH
S/O LATE AHMED ALI MUNSHI
R/O VILL-DHARMASALA PART-I
P.O.-DHUBRI
DIST-DHUBRI
ASSAM
PIN-783301

1.4:MD. GOLJAR HUSSAIN
S/O LATE AHMED ALI MUNSHI
R/O VILL-DHARMASALA PART-I
P.O.-DHUBRI
DIST-DHUBRI
ASSAM
PIN-783301

1.5:MD. ABUUL GANI SHEIKH
S/O LATE AHMED ALI MUNSHI
R/O VILL-DHARMASALA PART-I
P.O.-DHUBRI
DIST-DHUBRI
ASSAM
PIN-783301

1.6:MD. GAZI RAHMAN
S/O LATE AHMED ALI MUNSHI
R/O VILL-DHARMASALA PART-I
P.O.-DHUBRI
DIST-DHUBRI
ASSAM
PIN-783301

1.7:MD. GAI MAMUD
S/O LATE AHMED ALI MUNSHI
R/O VILL-DHARMASALA PART-I
P.O.-DHUBRI
DIST-DHUBRI
ASSAM
PIN-783301

1.8:MUSSTT. APTARUN NESSA
D/O LATE AHMED ALI MUNSHI
R/O VILL-DHARMASALA PART-I
P.O.-DHUBRI
DIST-DHUBRI
ASSAM
PIN-783301

1.9:MUSSTT. ASMA BIBI
D/O LATE AHMED ALI MUNSHI
R/O VILL-DHARMASALA PART-I
P.O.-DHUBRI
DIST-DHUBRI
ASSAM
PIN-783301

1.10:MUSSTT. ALIM BIBI
D/O LATE AHMED ALI MUNSHI
R/O VILL-DHARMASALA PART-I
P.O.-DHUBRI
DIST-DHUBRI
ASSAM
PIN-783301

1.11:MUSSTT. AHILA BIBI
D/O LATE AHMED ALI MUNSHI
R/O VILL-DHARMASALA PART-I
P.O.-DHUBRI
DIST-DHUBRI
ASSAM
PIN-78330

Advocate for the Petitioner : MR. N DHAR

Advocate for the Respondent : MR. A K SARMA

BEFORE
HONOURABLE MR. JUSTICE PRASANTA KUMAR DEKA

ORDER

Date : 15-12-2020

Heard Mr. T.U Laskar the learned counsel for the appellant. Also heard Mr. H.A. Tamuli the learned counsel for the respondent.

This application is filed under order 22 rule 3 of the CPC seeking for substitution of the deceased sole appellant by his legal heirs whose names are as follows:-

1a) Anowara Begum, 1(b) Ataur Rahman, 1(c) Abdul Faruqe, 1(d) Sahabul Hussain, 1(e) Amita Bibi, 1(f) Unasa Khatun. The substitution petition is filed within the period of 90 days and as such, the right to sue of the legal heirs survives. Accordingly, this petition is allowed thereby substituting the deceased sole appellant by his legal heirs.

JUDGE

Comparing Assistant