GAHC010188432018

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

Case No. : I.A.(Civil)/3210/2018

MUSSTT. NUR BANU AND 2 ORS
D/O- MD. ABDUL GAFUR
R/O- VILL.- MADHABPARA, MOUZA- GARUBAT, P.S.- KACHUWA, DIST.- NAGAON, ASSAM, PIN- 782426

2: MD. ABDUL GAFUR
S/O- LATE NURUDDIN
R/O- VILL.- MADHABPARA
MOUZA- GARUBAT
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PIN- 782426

3: MUSSTT. SAR BANU
W/O- MD. ABDUL GAFUR
R/O- VILL.- MADHABPARA
MOUZA- GARUBAT
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PIN- 78242

VERSUS

ON THE DEATH OF MD. BASIRUDDIN, HIS LEGAL HEIRS AND 23 ORS
R/O- VILL.- MADHABPARA, MOUZA- GARUBAT, P.S.- KACHUWA, DIST.- NAGAON, ASSAM, PI- 782426

1.1:MUSSTT. SAMOLA KHATUN
W/O- LATE MD. BASIRUDDIN
R/O- VILL.- MADHABPARA
MOUZA- GARUBAT
P.S.- KACHUWA

DIST.- NAGAON
ASSAM
PIN- 782426

1.2:MUSSTT. AAHAR BANU
W/O- LATE MD. BASIRUDDIN
R/O- VILL.- MADHABPARA
MOUZA- GARUBAT
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PIN- 782426

1.3:MUSSTT. RAHIMA KHATUN
W/O- LATE MD. BASIRUDDIN
R/O- VILL.- MADHABPARA
MOUZA- GARUBAT
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PIN- 782426

1.4:MD. MUSLIM UDDIN
S/O- LATE MD. BASIRUDDIN
R/O- VILL.- MADHABPARA
MOUZA- GARUBAT
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PIN- 782426

1.5:MD. ABUL KALAM
S/O- LATE MD. BASIRUDDIN
R/O- VILL.- MADHABPARA
MOUZA- GARUBAT
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PIN- 782426

1.6:MD. SAMAR ALI
S/O- LATE MD. BASIRUDDIN
R/O- VILL.- MADHABPARA
MOUZA- GARUBAT
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PIN- 782426

1.7:MD. AA HUSSAIN
S/O- LATE MD. BASIRUDDIN
R/O- VILL.- MADHABPARA
MOUZA- GARUBAT
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PIN- 782426

1.8:MD. AMIR ALI
S/O- LATE MD. BASIRUDDIN
R/O- VILL.- MADHABPARA
MOUZA- GARUBAT
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PIN- 782426

1.9:MD. HAZARAT ALI
S/O- LATE MD. BASIRUDDIN
R/O- VILL.- MADHABPARA
MOUZA- GARUBAT
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PIN- 782426

1.10:MD. RAHIM UDDIN
S/O- LATE MD. BASIRUDDIN
R/O- VILL.- MADHABPARA
MOUZA- GARUBAT
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PIN- 782426

1.11:MD. MAFIZ UDDIN
S/O- LATE MD. BASIRUDDIN
R/O- VILL.- MADHABPARA
MOUZA- GARUBAT
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PIN- 782426

1.12:MUSSTT. SAMSUN NEHAR BEGUM
D/O- LATE MD. BASIRUDDIN

R/O- VILL.- PROMILA
WARD NO. 2
MOUZA- GARUBAT
P.O.- SIMALGURI
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PIN- 782426

1.13:MUSSTT. PUR NEHAR BEGUM
D/O- LATE MD. BASIRUDDIN
R/O- VILL.- JITGAON
SINGIMARI
MOUZA- GARUBAT
P.O.- DHURIPAR
P.S.- KACHUWA
DIS.- NAGAON
ASSAM
PIN- 782426

1.14:MUSSTT. SAHINA KHATUN
D/O- LATE MD. BASIRUDDIN
R/O- VILL.- PROMILA
WARD NO. 2
MOUZA- GARUBAT
P.O.- SIMALGURI
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PIN- 782426

1.15:MUSSTT. JAHARA KHATUN
D/O- LATE MD. BASIRUDDIN
R/O- VILL.- MADHABPARA
MOUZA- GARUBAT
P.O.- JURIPAR
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PIN- 782426

1.16:MUSSTT. SAHARA KHATUN
D/O- LATE MD. BASIRUDDIN
R/O- VILL.-ROJALI
WARD NO. 6
MADHABPARA
MOUZA- GARUBAT
P.O.- JURIPAR

P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PIN- 782426

1.17:MUSSTT. KHALEDA KHATUN @ KALYAMA KHATUN
D/O- LATE MD. BASIRUDDIN
R/O- VILL.-ROJALI
WARD NO. 6
MADHABPARA
MOUZA- GARUBAT
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PIN- 782426

1.18:MUSSTT. HASNI KHATUN
D/O- LATE MD. BASIRUDDIN
R/O- VILL.- MADHABPARA
MOUZA- GARUBAT
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PIN- 78246

1.19:MUSSTT. JAHANARA BEGUM
D/O- LATE MD. BASIRUDDIN
R/O- VILL.- MADHABPARA
MOUZA- GARUBAT
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PIN- 78246

2:MD. NUR ISLAM
S/O- ESHAMUDDIN
R/O- VILL.- MADHABPARA
MOUZA- GARUBAT
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PI- 782426

3:MD. RAFIQUL ISLAM
S/O- ESHAMUDDIN
R/O- VILL.- MADHABPARA
MOUZA- GARUBAT
P.S.- KACHUWA

DIST.- NAGAON
ASSAM
PI- 782426

4:SRI KRISHNA DHAN SARKAR
S/O- LATE SANATAN SARKAR
R/O- VILL.- MADHABPARA
MOUZA- GARUBAT
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PI- 782426

5:SMT. MOTI SARKAR
W/O- LATE SATISH SARKAR
R/O- VILL.- MADHABPARA
MOUZA- GARUBAT
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PI- 782426

6:SRI HARI MOHAN SARKAR
S/O- LATE NARENDRA SARKAR
R/O- VILL.- MADHABPARA
MOUZA- GARUBAT
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PI- 782426

7:SMT. PANCHABASI SARKAR
W/O- LATE PRABINDRA SARKAR
R/O- VILL.- MADHABPARA
MOUZA- GARUBAT
P.S.- KACHUWA
DIST.- NAGAON
ASSAM
PI- 78242

Advocate for the Petitioner : MR. A C SARMA

Advocate for the Respondent :

BEFORE

HONOURABLE MR. JUSTICE PRASANTA KUMAR DEKA

ORDER

Date : 10-12-2020

Heard Mr. G. Bharadwaj, the learned counsel for the applicants. Also perused the order of the Lawazima Court dated 13.03.2020 and it is found that service on the respondent nos. 1(ii) is completed. However, none entered appearance on behalf of the said respondent.

Notice was duly served on all the legal heirs of the deceased respondent no. 1 Md. Basiruddin who died on 03.06.2018. This petition is taken up for disposal. The application for substitution of the legal heirs of the deceased respondent no. 1 was filed within time and the right to sue survive of the present appellant. Accordingly the names of the legal heirs of the deceased Md. Basiruddin respondent no. 1 whose names are shown in the Cause Title as the respondent no. 1 (i) to 1 (xix) are substituted.

This I.A. is accordingly disposed of.

JUDGE

Comparing Assistant