GAHC010048182019

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

Case No. : I.A.(Civil)/2543/2025

MUSST. REHANA BEGUM AND ORS.
WIFE OF LATE MUZIBUR RAHMAN

R/O- DOIGURUNG

P.O. PONKIAL GAON
DIST. GOLAGHAT
ASSAM.

2: MUSST. FARHANA BEGUM

WIFE OF MD. FARUK AHMED

D/O- LATE MUZIBUR RAHMAN.
R/O- GOLAGHAT TOWN

PALTANPATTY
WARD NO. 10

DISTRICT- GOLAGHAT
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3: MUSST. RUPA BEGUM

WIFE OF MD. AYUB ALI

D/O- LATE MUZIBUR RAHMAN

R/O GOLAGHAT TOWN

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4: MD. AZIZUR RAHMAN

S/O- LATE MUZIBUR RAHMAN
RESIDENT OF
DOIGURING

P.O. PONGKIAL GAON

DIST. GOLAGHAT
ASSAM.

5: MD. MUKIBUR RAHMAN

S/O- LATE MUZIBUR RAHMAN
RESIDENT OF
DOIGURING

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6: MD. SIDDIQUE RAHMAN

SON OF LATE NUR MOHAMMAD

7: MD. ZAKIR HUSSAIN

SON OF LATE NUR MOHAMMAD.

8: MD. FAIZ AHMED @ TAJ @ FAIJUR ROHOMAN

SON OF LATE NUR MOHAMMAD.

9: MUSST. MERINA BEGUM

WIFE OF MD. AKOMAN ALI.
D/O- LATE SHER ALI
ALL ARE RESIDENT OF -
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SON OF LATE SHER KHAN

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S/O- LATE FIROZ KHAN

4:MD. MUDIR KHAN

S/O- LATE SHER KHAN

5:MD. NADIR KHAN

SON OF LATE SHER KHAN

6:ON THE DEATH OF LATE SALEHA BEGUM HIS LEGAL HEIRS-NAMELY-

6.1:MD.ABDUL AHMED
S/O.LATE SALEHA BEGUM
R/O.GOLAGHAT TOWN
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6.2:MUSSTT.SABNAM ARA BEGUM
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R/O.GOLAGHAT TOWN
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6.3:MUSSTT.SARBINA YASMIN
D/O.LATE SALEHA BEGUM

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HER LEGAL HEIRS -
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10.1:ON THE DEATH OF LATE SYED SARIF AHMED HIS LEGAL HEIRS-
NAMELY-

10.1.1:MUSSTT.NUREJA AHMED
W/O.LATE SYED SARIF AHMED
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10.1.5:MD.ASIF AHMED
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S/O- LATE MAKHAN AHMED

10.9:MUSST. SANJITA AHMED.
D/O- LATE MAKHAN AHMED
SL. NOS. 16
17 AND 18 ARE RESIDENT
OF CHANDMARI
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WARD NO.9.
P.O. GOLAGHAT

DIST. GOLAGHAT
ASSAM- 785621.

Advocate for : MR D K DAS
Advocate for : MR. N HAQUE appearing for MUSTT. MAIJAN BEGUM AND ORS.

Main Case : RSA/114/2025

MUSST. REHANA BEGUM AND ORS.
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Advocate for the Petitioner : MR DEBA KUMAR DAS, MS. P BHUYAN,MR. K SINGHA

Advocate for the Respondent : MR. N HAQUE, MR M HUSSAIN,MR. N HAQUE

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

05.11.2026

1. Heard Mr. D.K. Das, the learned counsel for the applicants. Also heard Mr. M. Hussain, the learned counsel appearing for opposite party Nos. 3, 4, 7, 8, 9, and 10.3 to 10.9.

2. This Interlocutory Application has been filed by the applicants in connection with Regular Second Appeal No. 114/2025, praying for stay of execution of the impugned judgment and decree passed in Title Appeal No. 1/2017, which is put to execution in Title Execution Case No. 3/2019.

3. The learned counsel for the applicants submits that in the connected Regular Second Appeal No. 114/2025, the substantial question of law has been formulated and the appeal has been admitted, and therefore, he submits that unless the execution of the impugned judgment and decree is stayed, there is a likelihood of the connected Regular Second Appeal becoming infructuous.

4. I have considered the submissions made by learned counsel for both sides.

5. Since the connected Regular Second Appeal has been admitted and substantial question of law has been formulated, hence, during the pendency of the connected Regular Second Appeal, further proceeding of Title Execution Case No. 3/2019 pending before the Court of learned Civil Judge (Junior Division) No. 1, Golaghat shall remain stayed.

6. This Interlocutory Application is accordingly disposed of.

JUDGE

Comparing Assistant