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

Case No. : I.A.(Civil)/3494/2026

ZAHIRUL ISLAM AND ANR.
S/O- LATE NUR MOHAMMAD
R/O- VILL ROWMARI, NEAR MASJID, SOLMARI, HAIBARGAON, NAGAON, P.O.- SOLMARI, P.S.- NAGAON SADAR, DISTRICT- NAGAON, ASSAM, PIN-782002

2: MAHIBUR ALAM
S/O- LATE NUR MOHAMMAD
R/O- VILL ROWMARI
NEAR MASJID
SOLMARI
HAIBARGAON
NAGAON
P.O.- SOLMAI
P.S.- NAGAON SADAR
DISTRICT- NAGAON
ASSAM PIN-78200

VERSUS

THE STATE OF ASSAM AND ORS.
TO BE REPRESENTED BY THE SECRETARY, GOVERNMENT OF ASSAM, GENERAL ADMINISTRATION DEPARTMENT, BLOCK-A, 2ND FLOOR, ASSAM SECRETARIAT, DISPUR, GUWAHATI- 781006

2:THE SECRETARY TO THE GOVERNMENT OF ASSAM
ADMINISTRATIVE REFORMS
TRAINING
PENSION AND PUBLIC GRIEVANCES DEPARTMENT
BLOCK-D
1ST FLOOR
ASSAM SECRETARIAT
DISPUR
GUWAHATI- 781006

3:THE DISTRICT COMMISSIONER
OFFICE OF THE DISTRIC COMMISSIONER AND DISTRIC MAGISTRTAE
NAGAON
OLD TRUNK ROAD
NAGAON
ASSAM-782001

4:THE CIRCLE OFFICER
NAGAON CIRCLE OFFICE-782001

5:THE DISTRICT ELEMENTARY EDUCATION OFFICER DEEO
NAGAON
ASSAM-782001

6:THE DEPUTY INSPECTOR OF SCHOOLS
NAGAON
ASSAM-782001

7:JUSHNARA BEGUM
D/O- LATE MAGBUL HUSSAIN R/O- PUB CHATIAN P.O.- TINSUKIA JURIA
P.S.- JURIA DISTRICT- NAGAON
ASSA

Advocate for the Petitioner : MR. A R BHUYAN, MR S ABDULLAH,MR N Z CHOUDHURY,MS. S LASKAR

Advocate for the Respondent : GA, ASSAM, SC, GAD,SC, ELEM. EDU

Linked Case : WP(C)/1069/2026

JAHURA KHATUN
C/O-LATE NUR MOHAMMAD R/O-VILLAGE-ROWMARI P.O.-SOLMARI P.S.-NAGAON SADAR DIST.-NAGAON
ASSAM
PIN-782002

VERSUS

THE STATE OF ASSAM AND 6 ORS
TO BE REPRESENTED BY THE SECRETARY
GOVERNMENT OF ASSAM

GENERAL ADMINISTRATION DEPARTMENT
BLOCK-A
2ND FLOOR
ASSAM SECRETARIAT
DISPUR
GUWAHATI
781006

2:THE SECRETARY TO THE GOVT. OF ASSAM
ADMINISTRATIVE REFORMS
TRAINING
PENSION AND PUBLIC GRIEVANCES DEPARTMENT
D BLOCK 1ST FLOOR
ASSAM SECRETARIAT
DISPUR
GUWAHATI-781006

3:THE DISTRICT COMMISSIONER
OFFICE OF THE DISTRICT COMMISSIONER AND DISTRICT MAGISTRATE
NAGAON
OLD TRUNK ROAD
NAGAON
ASSAM
782001

4:THE CIRCLE OFFICER
NAGAON CIRCLE OFFICE
782001

5:THE DISTRICT ELEMENTARY EDUCATION OFFICER (DEEO)

NAGAON
ASSAM
782001

6:THE DEPUTY INSPECTOR OF SCHOOLS
NAGAON
782001

7:JUSHNARA BEGUM
D/O-LATE MAGBUL HUSSAIN R/O-PUB CHATIAN P.O.-TINSUKIA JURIA P.S.-JURIA DIST.-NAGAON
ASSAM

Advocate for : MR. A R BHUYAN
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 6 ORS

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

05.10.2026

Heard Mr. N.Z Choudhury, learned counsel for the applicants. Also heard Ms. K. Phukan, learned counsel for the respondents.

This interlocutory application has been filed seeking substitution of the surviving legal heirs or successors-in-interest in respect of the original writ petitioner namely, late Jahura Khatun who had since expired on 25.06.2026.

The claim in the writ petition pertains to family pension, DCRG, retiral benefits, therefore the right to sue survives.

The respondents did not object to the prayer made.

Accordingly, this interlocutory application stands allowed.

The applicants No. 1 & 2, namely Zahirul Islam and Mahibur Alam are substituted in place of late Jahura Khatun in W.P(C) No. 1069/2026.

The applicant is directed to file amended cause title before the Registry within two weeks.

The interlocutory application stands disposed of.

JUDGE

Comparing Assistant