

HIGH COURT FORM NO.(J) 25
DECREE IN ORIGINAL SUIT
DISTRICT:- CACHAR
IN THE COURT OF WAKF TRIBUNAL, SILCHAR, CACHAR
Title Suit (W) Case No.02/2019

Date of Institution: 14-02-2019

Upon death of the Plaintiff namely Abdus Salam Choudhury his legal heirs are as follows:-

- (1)(a) Anowara Begum Choudhury
W/O- Late Abdus Salam Choudhury
- (b) Raihana Begum Barbhuiya
- (c) Mohbubur Rahman Choudhury
- (d) Fajlur Rahman Choudhury
- (e) Farhana Jaman Choudhury
- (f) Mahamadur Rahman Choudhury
- (g) Hifzur Rahman Choudhury
- (h) Atabur Rahman Choudhury
- (i) Burhana Begum Barbhuiya
- (j) Misbaur Rahman Choudhury
- (k) Imdadur Rahman Choudhury
- (l) Md. Jiaur Rahman Choudhury
- (m) Sabana Begum Barlaskar

Sons and daughters of Late Abdus Salam Choudhury,

R/O Sundaura, P.O- Kalain, P.S.-Kalain,

Dist- Cachar, Assam..... Plaintiffs.

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-VERSUS-

(1) Smti. Bina Das

W/O Late Pramodh Chandra Das

(2) Sri Bipul Das

(3) Smti. Rita Das

(4) Smti. Mina Das

(5) Smti. Anita Das

(6) Sri Ipen Das

Sons and daughters of Late Pramodh Chandra Das

R/O Sundaura, P.O- Kalain, P.S.- Katigorah,

Dist. Cachar, Assam.

(7) Abdus Subhan Choudhury

S/O late Hazi Abdul Jabbar Choudhury

R/O Sundaura, P.O- Kalain, P.S.- Katigorah,

Dist. Cachar, Assam.Principal Defendants.

(8) Abdul Hannan Choudhury

S/O Late Hazi Abdul Jabbar Choudhury

R/O Sundaura, P.O- Kalain, P.S.- Katigorah,

Dist. Cachar, Assam.

(9) The Alim Mia and Umramun Nessa Wakf Estate

Rep. By its Mutawalli Abdul Hannan Choudhury

S/O Late Hazi Abdul Jabbar Choudhury

R/O Sundaura, P.O- Kalain, P.S.- Katigorah,

Dist. Cachar, Assam.

(10) The Assam Wakf Board

Rep. by its Secretary, Dispur, Assam.....Proforma defendants.

The suit is valued Rs.3,100.00 (Rupees Three Thousand One Hundred) only for the purpose of jurisdiction & declaration along with cancellation of document and Rs.100.00 (Rupees One Hundred) only for the purpose of injunction.

The Plaintiffs prayed that (a) the court will pass a decree declaring that the suit land described in schedule-1 is the part and parcel of the decree passed in Title Suit No. 188 of 1993 and that the plaintiff has right, title, interest and possession over the suit land under the capacity as a beneficiary of proforma defendant No.9 and also having occupancy tenancy rights under the Wakf Estate, proforma defendant No.9. (b) For a decree declaring that the sale deed described in schedule-2 being the land of Waqf Estate, the principal defendant No.7 has no right to transfer the land. (c) For a decree for cancellation of the registered sale deed described in schedule-2 by declaring the same as false, fraudulent, fake, illegal, void, collusive and inoperative and liable to set aside by sending a copy of the decree to the registering authority. (d) For both permanent and temporary injunction restraining the defendants and their relatives/agent from entering into the suit land described in the schedule-1 and transferring the suit land described in schedule-1 to any other party. (e) For cost of the suit. (f) For any other relief(s) as may deem fit and proper.

SCHEDULE-1

District- Cachar, Porgona- Kalain, Mouza- Kurkuri Part-I land in 2nd R.S. Patta No.2 Dag No.9 land measuring 3 Bigha 12 Katha 12 Chottak bounded by:-

East - Agricultural Bund

West - PWD Road

North - Remaining land of plaintiff (Decreed in TS No.188/1993)

South - Land of proforma defendant No.9

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SCHEDULE-2

Registered sale deed No.1651 dated 14-03-1982 and registered on 16-03-1982 executed by Abdul Subhan Choudhury son of late Haji Abdul Jabbar Choudhury of Sundaura, Porgona- Kalain, P.S. Katigorah, District- Cachar, Assam in favour of Pramodh Chandra Das with Sub Registrar, Katigorah.

This Suit is coming on for final hearing on 26th day of March, 2026 & 07th day of July, 2026 before Sri Biprajit Roy, A.J.S., in presence of Mr. Ansarul Haque , Advocate for the Plaintiffs, Mr. Dipak Chakraborty, Advocate for the Defendants.

And having stood for consideration to this 07th day of July, 2026 the court delivered the following Judgement.

ORDER

The suit is dismissed on contest with cost.

Given under my hand and seal of this Court on the 7th day of July, 2026.

Presiding Officer
Wakf Tribunal, Silchar, Cachar

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14/07/2026

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COST OF SUIT

Plaintiffs	Amount	Defendants	Amount
1. Stamp for Plaint	Rs.326.00	1. Stamp for power	Rs.2.00
2. Stamp for power	Rs.4.00	2. Stamp for petitions	Rs.26.00
3. Pleader's Fee	Rs.10000.00	3. Pleader's Fee	Rs.10000.00
4. Subsistence for Witness	Nil	4. Subsistence for Witness	Nil
5. Stamp for petitions	Rs.34.00	5. Process Fees	Nil
6. Process Fees	Rs.5.00		
Total	Rs.10369.00	Total	Rs.10028.00

Seen
Cm Advocate
for plaintiff
14/7/26

Presiding Officer
Wakf Tribunal, Silchar, Cachar
14/7/26

Seen

Dipak Chakraborty
Advocate for Defendants
14-7-26