

GAHC010004502015



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

Case No. : RSA 298/2018

1: MUSTT. ALEKA BANU and 3 ORS
W/O LATE PYAR HUSSAIN
RUPOHI TOWN, MOUZA KHATOWAL DIST NAGAON (ASSAM)

2: MD. ASHADUL MINOR
S/O LATE PYAR HUSSAIN

3: MD. MUKSHADUL

S/O LATE PYAR HUSSAIN

4: MD. JIBAHIL

S/O LATE PYAR HUSSAIN

PETITIONER NO. 1 B

C

and D ARE MINORS THE MINORS ARE REPRESENTED BY THEIR MOTHER

NATURAL GUARDIAN PETITIONER NO. 1 A

R/O RUPOHI TOWN

MOUZA KHATOWAL

DIST. NAGAON

ASSAM

VERSUS

1: MD RAFIQULLAH DEWAN and ANR
S/O LATE AKHILUDDIN DEWAN NILBAGAN DIST NAGAON ASSAM

2: MUSSTT. KULSUM BIBI
W/O LATE SUBED ALI
R/O NILBAGAN, DIST. NAGAON, ASSAM

Advocate for the Petitioner : MS. H SARMA

Advocate for the Respondent :

**BEFORE
HONOURABLE MR. JUSTICE PRASANTA KUMAR DEKA**

ORDER

Date : 17-12-2018

Heard Mr. S. Biswas, learned counsel for the appellants.

This second appeal is against the judgment and decree dated 16.9.2014 passed by learned District Judge, Nagaon in Title Appeal No. 4/2011 reversing the finding in the judgment and decree dated 5.4.2011 passed by Civil Judge, Nagaon in Title Suit No.82/2003 which is admitted on the following substantial questions of law:

1. Whether the findings of the first appellate court in respect of the right, title and interest of the plaintiffs respondents over the suit land is correct and whether the appreciation of the evidence on record and law holding field are perverse?

Any other substantial questions of law those may be formulated at the time of hearing.

Call for the LCR

The appellants shall take steps on the respondents within a period of three days from today both by way of registered post with A/D and usual process returnable on 8.3.2019.

JUDGE

Comparing Assistant