

GAHC010033922017



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

Case No. : I.A.(Civil) 2647/2017

1:MONOWARA KHATUN and 11 ORS,

VERSUS

1:BADSHAH MIYAN and ORS,

Advocate for the Petitioner : MR.N UDDIN

Advocate for the Respondent : MRM H AHMED

Linked Case : MC 2377/2014

1:MONOWARA KHATUN and 11 ORS

VERSUS

1:BADSHAH MIYAN and ORS

Advocate for the Petitioner : MR. M DUTTA
Advocate for the Respondent : MD. A MALEQUE

Linked Case : RSA 209/2012

1:ON THE DEATH OF ANOWAR HUSSAIN DAU HIS LEGAL HEIRS
MONOWARA KHATUN and 11 ORS

JOYNAL ABEDIN SON LAL BADSA SON SALCHA KHATUN DAU ABDUL HAI
SON SHRBHAJAN BEGUM DAU ABUBAKKAR SIDDIQUE SON JELEKHA
KHATUN DAU ABU SHOME AHMED SON ASGAR ALI SON BELATO NESA
DAU NIZAM UDDIN AHMED.

VERSUS

1:ON THE DEATH OF MOTIUR RAHMAN HIS LEGAL HEIRS BADSHAH
MIYAN SON and ORS

ABU SHAMA SON SHAHIDUL ISLAM SON NAZRUL ISLAM SON ABUL
KALAM SON BAHARUL ISLAM SON IMRAN HUSSAIN SON NOOR JAHAN
DAU MARIAM NESSA DAU MANJUWARA KHATUN DAU NILIMA KHATUN
DAU REJIYA KHATUN DAU

2:ABDUL JUBBER
BOTH SONS OF LT. ABDUL KARIM BY CASTE A MUSLIM BY PROFESSION
AGRICULTURIST OF VILL. KHELLY GAON MOUZA TITAPANI
DIST. BARPETA.

3:MOZIBAR RAHMAN
S/O LT. MOYAZUDDIN MUNCHI BY CASTE MUSLIM BY PROFESSION
AGRICULTURIST OF VILL. KHELI
MOUZA TITAPANI
DIST. BAPETA.

Advocate for the Petitioner : MR. N UDDIN

Advocate for the Respondent : MR M H AHMED (R1.2

R1.3

R1.5

R1.6

R1.7

R2)

Linked Case : MC 2378/2014

1:MONOWARA KHATUN and 11 ORS

VERSUS

1:BADSHAH MIYAN and ORS

Advocate for the Petitioner : MR.N UDDIN
Advocate for the Respondent : MRM H AHMED

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

ORDER

Date : 24-04-2019

Heard Mr. M. Dutta, the learned counsel for the petitioners.

This is an application for condonation of delay in order to bring on record the legal heirs of deceased respondent No. 3. During pendency of this application, appellant/petitioner No. 6 died.

It is submitted by Mr. Dutta that prior to filing of this application the appellant/petitioner No. 6 alongwith other legal heirs were substituted on the death of the sole appellant on 25.04.2015.

In the present scenario, Mr. Dutta submits that he had already filed fresh application to bring on record the legal heirs of the deceased appellant/petitioner No. 6 which are not tagged with the case record.

It is submitted that the applications were filed on 28.03.2019 and the Sl. Nos. are (1) I.A.(Civil) Sl No. 4298, (2) I.A.(Civil) Sl No. 4301 and (3) I.A. (Civil) Sl No. 4299.

List on 13.05.2019, along with the said I.A.

JUDGE

Comparing Assistant