

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 : I.A.(Civil) 1596/2019

1:ON THE DEATH OF MRS. SHUBHJAN BEGUM  
HER LEGAL HEIRS  
REPRESENTING (APPELLANT NO. 6 IN RSA 209/2012)

1.1: FAZLUR RAHMAN  
H/O LATE SHUBHJAN BEGUM  
VILL-CHENIMARI  
P.O.-LANGLA  
P.S.-KALGACHIA  
DIST-BARPETA  
ASSAM

1.2: SHAHIDUL ISLAM  
S/O LATE SHUBHJAN BEGUM  
VILL-CHENIMARI  
P.O.-LANGLA

P.S.-KALGACHIA  
DIST-BARPETA  
ASSAM

1.3: MOFIDUL ISLAM  
S/O LATE SHUBHJAN BEGUM  
VILL-CHENIMARI  
P.O.-LANGLA  
P.S.-KALGACHIA  
DIST-BARPETA  
ASSAM

1.4: KOHINOOR KHATUN  
D/O LATE SHUBHJAN BEGUM  
VILL-CHENIMARI  
P.O.-LANGLA  
P.S.-KALGACHIA  
DIST-BARPETA  
ASSAM

1.5: ASMINA YEASMIN  
D/O LATE SHUBHJAN BEGUM  
VILL-CHENIMARI  
P.O.-LANGLA  
P.S.-KALGACHIA  
DIST-BARPETA  
ASSAM  
VERSUS

1:ON THE DEATH OF MOTIUR RAHMAN  
HIS LEGAL HEIRS AND 13 ORS

REPRESENTING

1.1:BADSHAH MIYAN  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.2:ABU SHAMA  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.3:SHAHIDUL ISLAM  
R/O KHELLY GAON

MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.4:NAZRUL ISLAM  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.5:ABUL KALAM  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.6:BAHARUL ISLAM  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.7:IMRAN HUSSAIN  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.8:NOOR JAHAN  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.9:MARIAM NESSA  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.10:MANJUWARA KHATUN  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.11:NILIMA KHATUN  
R/O KHELLY GAON

MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.12:REJIYA KHATUN  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

2:ABDUL JUBBER  
S/O LT. ABDUL KARIM  
VILL-KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

3:MOZIBAR RAHMAN  
S/O LT. MOYAZUDDIN MUNCHI  
VILL-KHELLY  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

Advocate for the Petitioner : MR. M DUTTA  
Advocate for the Respondent : MR. M HAQUE

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

Linked Case : I.A.(Civil) 1597/2019

1:ON THE DEATH OF MRS. SHUBHJAN BEGUM  
HER LEGAL HEIRS  
REPRESENTING (APPELLANT NO. 6 IN RSA 209/2012)

1.1: FAZLUR RAHMAN  
H/O LATE SHUBHJAN BEGUM  
VILL-CHENIMARI  
P.O.-LANGLA  
P.S.-KALGACHIA  
DIST-BARPETA  
ASSAM

1.2: SHAHIDUL ISLAM  
S/O LATE SHUBHJAN BEGUM  
VILL-CHENIMARI  
P.O.-LANGLA  
P.S.-KALGACHIA  
DIST-BARPETA  
ASSAM

1.3: MOFIDUL ISLAM  
S/O LATE SHUBHJAN BEGUM  
VILL-CHENIMARI  
P.O.-LANGLA  
P.S.-KALGACHIA  
DIST-BARPETA  
ASSAM

1.4: KOHINOOR KHATUN  
D/O LATE SHUBHJAN BEGUM  
VILL-CHENIMARI

P.O.-LANGLA  
P.S.-KALGACHIA  
DIST-BARPETA  
ASSAM

1.5: ASMINA YEASMIN  
D/O LATE SHUBHJAN BEGUM  
VILL-CHENIMARI  
P.O.-LANGLA  
P.S.-KALGACHIA  
DIST-BARPETA  
ASSAM  
VERSUS

1:ON THE DEATH OF MOTIUR RAHMAN  
HIS LEGAL HEIRS AND 13 ORS  
REPRESENTING

1.1:BADSHAH MIYAN  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.2:ABU SHAMA  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.3:SHAHIDUL ISLAM  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.4:NAZRUL ISLAM  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.5:ABUL KALAM  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.5:BAHARUL ISLAM  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.6:IMRAN HUSSAIN  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.7:NOOR JAHAN  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.8:MARIAM NESSA  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.9:MANJUWARA KHATUN  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.10:NILIMA KHATUN  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.11:REJIYA KHATUN  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

2:ABDUL JUBBER  
S/O LT. ABDUL KARIM  
VILL-KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

3:MOZIBAR RAHMAN  
S/O LT. MOYAZUDDIN MUNCHI  
VILL-KHELLY  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

Advocate for the Petitioner : MR. M DUTTA  
Advocate for the Respondent : MR. M HAQUE

Linked Case : I.A.(Civil) 1598/2019

1:ON THE DEATH OF MRS. SHUBHJAN BEGUM  
HER LEGAL HEIRS  
REPRESENTING (APPELLANT NO. 6 IN RSA 209/2012)

1.1: FAZLUR RAHMAN  
H/O LATE SHUBHJAN BEGUM  
VILL-CHENIMARI  
P.O.-LANGLA  
P.S.-KALGACHIA  
DIST-BARPETA  
ASSAM

1.2: SHAHIDUL ISLAM  
S/O LATE SHUBHJAN BEGUM  
VILL-CHENIMARI  
P.O.-LANGLA  
P.S.-KALGACHIA  
DIST-BARPETA  
ASSAM

1.3: MOFIDUL ISLAM  
S/O LATE SHUBHJAN BEGUM  
VILL-CHENIMARI  
P.O.-LANGLA  
P.S.-KALGACHIA  
DIST-BARPETA  
ASSAM

1.4: KOHINOOR KHATUN  
D/O LATE SHUBHJAN BEGUM  
VILL-CHENIMARI  
P.O.-LANGLA  
P.S.-KALGACHIA

DIST-BARPETA  
ASSAM

1.5: ASMINA YEASMIN  
D/O LATE SHUBHJAN BEGUM  
VILL-CHENIMARI  
P.O.-LANGLA  
P.S.-KALGACHIA  
DIST-BARPETA  
ASSAM  
VERSUS

1:ON THE DEATH OF MOTIUR RAHMAN  
HIS LEGAL HEIRS AND 13 ORS  
REPRESENTING

1.1:BADSHAH MIYAN  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.2:ABU SHAMA  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.3:SHAHIDUL ISLAM  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.4:NAZRUL ISLAM  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.5:ABUL KALAM  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.6:BAHARUL ISLAM  
R/O KHELLY GAON

MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.7:IMRAN HUSSAIN  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.8:NOOR JAHAN  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.9:MARIAM NESSA  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.10:MANJUWARA KHATUN  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.11:NILIMA KHATUN  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

1.12:REJIYA KHATUN  
R/O KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

2:ABDUL JUBBER  
S/O LT. ABDUL KARIM  
VILL-KHELLY GAON  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

3:MOZIBAR RAHMAN

S/O LT. MOYAZUDDIN MUNCHI  
VILL-KHELLY  
MOUZA-TITAPANI  
DIST-BARPETA  
ASSAM

Advocate for the Petitioner : MR. M DUTTA  
Advocate for the Respondent : MR. M HAQUE

**BEFORE**  
**HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

**ORDER**

**Date : 12-06-2019**

Though on earlier occasions, time was granted for filing objection against the delay condonation petition, Shri Ahmed, the learned counsel for the respondents, has sought for more time.

In the interest of justice, a last opportunity of 10 (ten) days is granted for filing the objection.

**JUDGE**

**Comparing Assistant**