

GAHC010079472024



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

**Case No. : I.A.(Civil)/502/2026**  
**in**  
**CRP/46/2024**

MUSST MARAZA ISLAM ALIAS MERIZA ISLAM AND ANR  
WIFE OF LATE NAZMUL ISLAM RESIDENT OF MANIRAM DEWAN ROAD  
MOUZA TGOWN PS AND DISTRICT NAGAON ASSAM 782460

2: MD LATIFUL ISLAM  
SON OF LATE NAZMUL ISLAM RESIDENT OF MANIRAM DEWAN ROAD  
MOUZA TOWN PS AND DISTRICT NAGAON ASSAM 782460  
VERSUS

ONE THE DEATH OF MD ABDUL SAMED HIS LEGAL HEIRS  
RESIDENT OF PANIGAON MOSQUE ROAD WARD NO 18 MOUZA TOWN  
DISTRICT NAGAON ASSAM

1:MD ABDUL MALEK  
SON OF LATE ABDUL SAMED RESIDENT OF PANIGAON MOSQUE ROAD  
WARD NO 18 MOUZA TOWN DISTRICT NAGAON ASSAM

2:MD SANUWAR HUSSAIN  
SON OF LATE ABDUL SAMED RESIDENT OF PANIGAON MOSQUE ROAD  
WARD NO 18 MOUZA TOWN DISTRICT NAGAON ASSAM

3:MD IQBAL HUSSAIN  
SON OF LATE ABDUL SAMED RESIDENT OF PANIGAON MOSQUE ROAD  
WARD NO 18 MOUZA TOWN DISTRICT NAGAON ASSAM

4:ON THE DEATH OF LATE MUSST MAMTAZ BEGUM  
WIFE OF LATE ALI AHMED HER LEGAL HEIRS AND LEGAL  
REPRESENTATIVES RESIDENT OF PANIGAON MOSQUE ROAD WARD NO 18  
MOUZA TOWN DISTRICT NAGAON ASSAM

4.1:PARBINA BEGUM

WIFE OF MD NIZAMUDDIN AHMED 2 NO PANIGAON P B ROAD NAGAON  
ASSAM

4.2:MD MOZIBUR RAHMAN KABIRAJ  
SON OF ALI AHMED 2 NO MULLA PATTY NAGAON ASSAM

5:MUSST SAHENA BEGUM  
WIFE OF LATE MAZIBUR RAHMAN RESIDENT OF PANIGAON MOSQUE  
ROAD WARD NO 18 MOUZA TOWN DISTRICT NAGAON ASSAM

6:MUSST SAHIDA BEGUM  
WIFE OF MINAZUDDIN CHOUDHURY RESIDENT OF PANIGAON MOSQUE  
ROAD WARD NO 18 MOUZA TOWN DISTRICT NAGAON ASSAM

7:MUSST REJINA BEGUM  
WIFE OF LATE AZIZUR RAHMAN RESIDENT OF PANIGAON MOSQUE ROAD  
WARD NO 18 MOUZA TOWN DISTRICT NAGAON ASSAM

8:MUSST ZELINA BEGUM  
WIFE OF IQBAL ALI RESIDENT OF PANIGAON MOSQUE ROAD WARD NO 18  
MOUZA TOWN DISTRICT NAGAON ASSAM

9:MD ABDUL MAJID  
SON OF LATE UMAR ALI RESIDENT OF DHAKA PATTY MASJID ROAD  
NAGAON ASSAM

10:MD ANDALIB ISLAM  
SON OF LATE NAZRUL ISLAM RESIDENT OF PANIGAON MOSQUE ROAD  
WARD NO 18 MOUZA TOWN DISTRICT NAGAON ASSAM

11:MD KAISOR ISLAM  
SON OF LATE NAZRUL ISLAM RESIDENT OF PANIGAON MOSQUE ROAD  
WARD NO 18 MOUZA TOWN DISTRICT NAGAON ASSAM

12:ON THE DEATH OF LATE MUSST JAHANARA ISLAM  
WIFE OF LATE NAZRUL ISLAM HER LEGAL HEIRS AND LEGAL  
REPRESENTATIVES WERE ALREADY REPRESENTED AS RESP NO 10 AND 11  
NAGAON TOWN RAOD ASSAM

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Advocate for : MR SISHIR DUTTA  
Advocate for : MR. S K GHOSH appearing for ONE THE DEATH OF MD ABDUL  
SAMED HIS LEGAL HEIRS

**BEFORE  
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

**ORDER**

**25.03.2026**

Heard Mr. Subham Dutta, learned counsel for the applicants/petitioners. Also heard Mr. S K Ghosh, learned counsel for the respondent/opposite party Nos. 1, 2, 3, 5, 6, 7 & 8.

By way of the instant interlocutory application under Section 5 of the Limitation Act, 1963, the applicants are seeking condonation of delay of 135 days in substituting the legal heirs/representatives of the deceased on the death of the respondent No. 1.4, Musst. Mamtaz Begum.

Let **Notice** be issued, making it returnable by **05.05.2026**.

Mr. S K Ghosh, learned counsel accepts notice on behalf of the respondent/opposite party Nos. 1, 2, 3, 5, 6, 7 & 8.

Applicants shall furnish extra copy of the interlocutory application to Mr. S K Ghosh, during the course of the day.

Applicants shall take steps for service of notice upon the remaining respondents/opposite parties by Speed Post with A/D, within three working days from today.

List accordingly.

**JUDGE**

**Comparing Assistant**