

GAHC010021822026



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

Case No. : I.A.(Civil)/275/2026
in
RSA 56/2016

ON THE DEATH OF ABDUL HAKIM HIS LEGAL HEIRS MD SHAFIK AHMED
ALIAS ORS
S/O LATE ABDUL HAKIM MAZARBHUIYA

2: MD. ROFIQUE UDDIN MAZARBHUIYA
SON OF LATE ABDUL HAKIM MAZARBHUIYA

3: MD. AFTARUN NESSA MAZARBHUIYA
SON OF LATE ABDUL HAKIM MAZARBHUIYA

4: MST. RAHANA BEGUM MAZARBHUIYA
SON OF LATE ABDUL HAKIM MAZARBHUIYA

5: MST. RINA BEGUM MAZARBHUIYA
SON OF LATE ABDUL HAKIM MAZARBHUIYA

6: MST. MONWARA BEGUM MAZARBHUIYA
SON OF LATE ABDUL HAKIM MAZARBHUIYA

7: MST. SAJAN BEGUM MAZARBHUIYA
APPELLANT NOS. 1 TO 7 ARE SONS AND DAUGHTER OF LATE ABDUL
HAKIM MAZARBHUIYA

8: ON THE DEATH OF LATE MD. ABDUL KARIM MAZARBHUIYA
HIS LEGALHEIRS

8.1: SORFUL NESSA LASKAR
WIFE

8.2: AMRUL HOQUE MAZARBHUIYA
SON

8.3: KAMRUL HOQUE MAZARBHUIYA
SON

8.4: NAZMUL HOQUE MAZARBHUIYA
SON

8.5: RUSTANA BEGAM LASKAR
DAUGHTER

8.6: SALMA BEGUM MAZARBHUIYA
DAUGHTER

8.7: RAJMIN SULTANA LASKAR
DAUGHTER

8.8: FATIMA BEGOM MAZARBHUIYA
DAUGHTER

9: MD. ABDUL AZIM MAZARBHUIYA
SONS AND DAUGHTERS OF LATE ANJOD ALI MAZARBHUIYA

10: MD. ABDUL WAHID MAZARBHUIYA
SON OF LATE ANJOD ALI MAZARBHUIYA

11: MD. ABDUL AZIZ MAZARBHUIYA
SON OF LATE ANJOD ALI MAZARBHUIYA

12: MST. SAYRA KHATUN MAZARBHUIYA
DAUGHTERS OF LATE ANJOD ALI MAZARBHUIYA

13: MST. MANIRA KHATUN MAZARBHUIYA
DAUGHTERS OF LATE ANJOD ALI MAZARBHUIYA

14: MST. HAZIRA KHATUN MAZARBHUIYA
APPELLANT NOS. 8 TO 14 ARE SONS AND DAUGHTERS OF LATE ANJOD ALI
MAZARBHUIYA

15: MD. JAYNUL HAQUE MAZARBHUIYA
S/O LATE ANFOR ALI MAZARBHUIYA
APPELLANT NOS. 1 TO 15 ARE
R/O VILL NIJ VERNERPUR PT I
P.O. VERNERPUR
P.S. LALA
DIST HAILAKANDI
ASSAM

VERSUS

ON THE DEATH OF KURSHAD ALI LASKAR HIS LEGAL HEIRS MD ABDUL
LATIF LASKAR ALIAS ORS
S/O LATE KHURSED ALI LASKAR

2:MD. ABDUL WAHAB LASKAR
S/O LATE KHURSED ALI LASKAR

3:MD. ABDUL MALIK LASKAR
S/O LATE KHURSED ALI LASKAR
PRINCIPAL RESPONDENT NOS. 1 TO 3 ARE R/O VILL NIJ VERNERPUR
P.O. VERNERPUR
P.S. LALA
DIST HAILAKANDI
ASSAM

4:MUSSTT. RAHANA BIBI
W/O MD. MUSSA MIA
R/O VILL AND P.O. GHARMOORAH
P.S. KATLICHERRA
DIST HAILAKANDI
ASSAM

5:MUSSTT. FARHANA BIBI
W/O MD. HAFIZ KHALIL AHMED VILL MOHAMMEDPUR
PART-II P.O. RONGPUR SOUTH
P.S. LALA
DIST HAILAKANDI
ASSAM

6:MUSSTT. NEPURJAN BIBI
W/O LATE ABDUL RASID

7:MUSSTT. SIRAJUN NESSA
W/O LATE AJMAT ALI

8:MD. IMRUL HUSSAIN LASKAR
S/O LATE AJMAT ALI

9:MD. SAJID HUSSAIN LASKAR
S/O LATE AJMAT ALI

10:MUSSTT. SALINA AKTAR LASKAR
D/O LATE AJMAT ALI

11:MUSSTT. SAMIMA AKTAR LASKAR
D/O LATE AZMOT ALI

12:FOIZUL HAQUE MAZARBHUIYA
S/O LATE ANFOR ALI MAZARBHUIYA
PROF. OPP. PARTY NOS. 6 TO 12 ARE
R/O VILL NIJ VERNERPUR PT-I
P.O. VERNERPUR
P.S. LALA
DIST. HAILAKANDI
ASSAM

13:MD. SALIM UDDIN LASKAR
S/O MD. SIRAJ UDDIN LASKAR

14:MD. SIRAJ UDDIN LASKAR
S/O LATE ANJOD ALI LASKAR
PROF OPP. PARTY NOS. 13 AND 14 ARE
R/O VILL MOHAMEDPUR PT-I
P.S. LALA
P.O. PONGPUR SOUTH
DIST. HAILAKANDI
ASSAM

15:MST. TAIMUN NESSA
W/O MD. BASIR AHMED CHOUDHURY
R/O VILL KACHARI THAL
P.S. LALA
P.O. VERNERPUR
DIST HAILAKANDI
ASSAM

Advocate for : MS. B. HAZARIKA
Advocate for : MR. N H BARBHUIYA appearing for ON THE DEATH OF
KURSHAD ALI LASKAR HIS LEGAL HEIRS MD ABDUL LATIF LASKAR
ALIAS ORS

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

27.03.2026

Heard Ms. R Choudhury, learned counsel for the applicant. Also heard Ms. S Dey, learned counsel appearing on behalf of Mr. N H Barbhuiya, learned counsel for

the respondents.

By way of the instant interlocutory application under Section 5 of the Limitation Act, 1963, the applicant is seeking condonation of delay of 1895 days in filing the substitution petition for substituting the deceased appellant No. 8 by his legal heirs in the connected RSA No. 56/2016.

Let **Notice** be issued, making it returnable **by 08.05.2026**.

As Ms. S Dey, learned counsel accepts notice on behalf of the respondents, no formal notice is required to be issued.

Applicant shall furnish extra copy of the interlocutory application to Ms. S Dey, during the course of the day.

Ms. S Dey, learned counsel for the respondents seeks time for filing objection.

Prayer is allowed.

List accordingly.

JUDGE

Comparing Assistant