

GAHC010020942026



DB

2026:GAU-AS:2184-

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

Case No. : I.A.(Civil)/266/2026

SAIDUL ISLAM
SO LATE OMAR ALI, RO VILL SHILOSHI, PS BAGHBOR, DIST BARPETA,
ASSAM, PIN 781301

2: ANOWARA KHATUN
DO LATE OMAR ALI
WO ZAKIR HUSSAIN
RO VILL SHILOSHI
PS BAGHBOR
DIST BARPETA
ASSAM
PIN 781301

3: MANOWARA KHATUN
DO LATE OMAR ALI
WO AYNAL HAQUE
RO VILL SHILOSHI
PS BAGHBOR
DIST BARPETA
ASSAM
PIN 781301

4: SAIFUL ISLAM
DO LATE OMAR ALI
RO VILL SHILOSHI
PS BAGHBOR
DIST BARPETA
ASSAM
PIN 781301

5: RINOWARA KHATUN
DO LATE OMAR ALI
WO ZABED ALI

RO VILL SHILOSHI
PS BAGHBOR
DIST BARPETA
ASSAM
PIN 781301

6: SANIYARA KHATUN
DO LATE OMAR ALI
RO VILL SHILOSHI
PS BAGHBOR
DIST BARPETA
ASSAM
PIN 78130

VERSUS

THE UNION OF INDIA
REPRESENTED BY THE SECRETARY TO THE GOVT OF INDIA, MINISTRY
OF HOME AFFAIRS, SHASTRI BHAWAN, TILAK MARG, NEW DELHI 1

2:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT
OF ASSAM
HOME DEPARTEMENT
DISPUR
GUWAHATI 6

3:THE DISTRICT COMMISSIONER
BARPETA
PO AND DIST BARPETA
ASSAM
PIN 781301

4:THE SUPERINTENDENT OF POLICE (B)
BARPETA
PO AND DIST BARPETA
ASSAM
PIN 781301

5:THE ELECTION COMMISSION OF INDIA
NEW DELHI 1

6:THE STATE CO ORDINATOR OF NRC
ASSAM
HOUSEFED COMPLEX
2ND FLOOR
BANPHOOL NAGAR
DISPUR

GUWAHATI

Advocate for the Petitioner : MR. A R SIKDAR, MR. Z H BORA, MR. S I TALUKDAR, J A SIKDAR

Advocate for the Respondent : DY.S.G.I., GA, ASSAM, SC, ECI, SC, NRC, SC, F.T

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 13.02.2026
(K.R. Surana, J)

Heard Mr. J.A. Sikdar, learned counsel for the applicants. Also heard Mr. P.S. Lahkar, learned CGC; Mr. G. Sarma, learned standing counsel for the FT matters and NRC; Mr. M. Islam, learned counsel on behalf of Mr. A.I. Ali, learned standing counsel for the ECI; and Mr. H.K. Hazarika, learned Junior Government Advocate for the State respondent.

2. By filing this interlocutory application, it is projected that during the pendency of WP(C)/1438/2019, the petitioner therein, namely, Omar Ali, S/o – Muntaz Ali, R/O Village – Shiloshi, P.S. – Baghbor, District – Barpeta, (Assam), has died on 14.07.2023, leaving behind the following legal representatives:-

1.(a) Saidul Islam,

1.(b) Anowara Khatun,

1.(c) Manowara Khatun,

1.(d) Saiful Islam,

1.(e) Rinowara Khatun,

1.(f) Saniyara Khatun,

3. Accordingly, the applicants have prayed for substituting them on death of their father.

4. It has been stated in this interlocutory application that the delay in impleading was caused due to their lack of knowledge of substitution. It is also submitted that the substitution is required as the opinion impugned in the said writ petition may prejudice them.

5. Considering the reasons assigned, this interlocutory application stands allowed. The applicants, namely, *1.(a) Saidul Islam, 1.(b) Anowara Khatun, 1.(c) Manowara Khatun, 1.(d) Saiful Islam, 1.(e) Rinowara Khatun and 1.(f) Saniyara Khatun*, are permitted to be impleaded as substituted petitioners in WP(C)/1438/2019.

6. The applicants, through their learned counsel shall provide a copy of the amended cause title to the AO(J), FT Section, for substituting their names as petitioners in the said writ petition on death of the original petitioner.

7. This application stands allowed and disposed of.

JUDGE

JUDGE

Comparing Assistant