

GAHC010040402018



2026:GAU-AS:3098

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

Case No. : CRP(IO)/56/2018

ABDUL GAFUR
R/O VILL HAIDOB, MOUZA- BATADRABA, DIST. NAGAON, ASSAM

VERSUS

AFIA KHATUN AND 15 ORS
R/O VILL- HAIDOB, PO- KADAMONI, MOUZA- BATADRABA, DIST.
NAGAON, PIN-782122

2:ON THE DEATH OF AZIZUL HAQUE
HIS LEGAL HEIRS

2.1:MOFIDA KHATUN
W/O LATE AZIZUL KHATUN
RESIDENT OF VILL- HAIDUBI
P.O- KADAMONI
DISTRICT- NAGAON
ASSAM

2.2:LABIBA KAWSAR
D/O LATE AZIZUL KHATUN
RESIDENT OF VILL- HAIDUBI
P.O- KADAMONI
DISTRICT- NAGAON
ASSAM

2.3:HIXA KAWSAR
D/O LATE AZIZUL KHATUN
RESIDENT OF VILL- HAIDUBI
P.O- KADAMONI
DISTRICT- NAGAON
ASSAM

3:AZAHARUDDIN
S/O LT. NURUL ISLAM
R/O VILL- HAIDOBİ
PO- KADAMONI
MOUZA- BATADRABA
DIST. NAGAON
PIN-782122

4:ALIZA KHATUN
D/O LT. NURUL ISLAM
R/O VILL- HAIDOBİ
PO- KADAMONI
MOUZA- BATADRABA
DIST. NAGAON
PIN-782122

5:ON THE DEATH OF ABU TAHER HIS LEGAL HEIRS
NAMELY

5.1:HUSNARA BEGUM
W/O ABU TAHER
RESIDENT OF VILL- HAIDOBİ
P.O.- KADAMONI
MOUZA- BATADARBA
DIST- NAGAON. PIN- 782122

5.2:MISS. ANJUWARA KHATUN
D/O ABU TAHER
RESIDENT OF VILL- HAIDOBİ
P.O.- KADAMONI
MOUZA- BATADARBA
DIST- NAGAON. PIN- 782122

5.3:MISS. PARBIN SULTANA
D/O ABU TAHER
RESIDENT OF VILL- HAIDOBİ
P.O.- KADAMONI
MOUZA- BATADARBA
DIST- NAGAON. PIN- 782122

5.4:MISS. SABIKUN NEHAR
D/O ABU TAHER
RESIDENT OF VILL- HAIDOBİ
P.O.- KADAMONI
MOUZA- BATADARBA
DIST- NAGAON. PIN- 782122

5.5:JANATUL NEHAR
D/O ABU TAHER
RESIDENT OF VILL- HAIDOBİ
P.O.- KADAMONİ
MOUZA- BATADARBA
DIST- NAGAON. PIN- 782122

5.6:MD. SAHİDUL ALAM
S/O ABU TAHER
RESIDENT OF VILL- HAIDOBİ
P.O.- KADAMONİ
MOUZA- BATADARBA
DIST- NAGAON. PIN- 782122

5.7:AKRAMUL HUSSAIN
S/O ABU TAHER
RESIDENT OF VILL- HAIDOBİ
P.O.- KADAMONİ
MOUZA- BATADARBA
DIST- NAGAON. PIN- 782122

6:MARIUM NESSA
D/O LT. ABDUL MOZİD
R/O VILL- HAIDOBİ
PO- KADAMONİ
MOUZA- BATADRABA
DIST. NAGAON
PIN-782122

7:MALİKA KHATUN
D/O LT. ABDUL MOZİD
R/O VILL- HAIDOBİ
PO- KADAMONİ
MOUZA- BATADRABA
DIST. NAGAON
PIN-782122

8:JOSNARA BEUMA
D/O LT. ABDUL MOZİD
R/O VILL- HAIDOBİ
PO- KADAMONİ
MOUZA- BATADRABA
DIST. NAGAON
PIN-78212

Advocate for the Petitioner : MR. R GOSWAMI, MS. N BAROOAH,MR. D KONWAR,MR. H KALİTA,MS. P KALİTA,MRS. K GOSWAMI,MR. M P BHUYAN,MS. R DEVI,MS. P PATHAK

Advocate for the Respondent : MR. R J BORDOLOI (R1-4, R6-8), MR. R ALI (R1-4, R6-8), MS. G P SHAHI (R1-4), MRS M SHARMA (R1-4)

**BEFORE
HONOURABLE MR. JUSTICE SANJEEV KUMAR SHARMA**

ORDER

27.02.2026

1. Heard Mr. R. Goswami, learned counsel for the petitioner and Mr. R. Ali , learned counsel for the respondent Nos. 1 to 4, 6 to 8.
2. A prayer has been made to permit the petitioner to withdraw the instant petition with liberty to file appropriate application before the learned Executing Court.
3. Learned counsel for the respondents has submitted that there already is pending application under Order 21 Rule 97 and 98 of the CPC and therefore, there is no scope for filing any further application on the same subject and for the same reliefs.
4. Having regard to the above, the instant Civil Revision Petition is disposed of with the observation that in the event, the petitioner herein submits any application before the learned Executing Court, the same shall be considered by the learned Executing Court in conjunction with the applications under Order 21 Rule 97 and 98 and dispose of the same accordingly.
5. In the event, the petitioner seeks to institute any other suit/ application before any other Court, that is a matter for the said Court to consider and this Revisional Court need not make any observation on the same.

6. The petition stands disposed of accordingly.
7. Stay order passed earlier stands vacated.

JUDGE

Comparing Assistant