

GAHC010108102026



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

**Case No. : FAO/33/2026**

PALTU SHEIKH AND 14 ORS.  
S/O LATIFA BIBI, R/O- GAURIPUR, MADHUSAULMARI PT. II, DHUBRI,  
ASSAM-783331

2: FULSAN MALLIK  
SON OF FATO MALLIK  
VILL- RARABARI CHAR  
VTC- TARABARI  
P.O.- BAHARIHAT  
SUB DISTRICT- BARPETA  
DISTRICT- BARPETA  
ASSAM - 781302

3: LATIFA BIBI  
DAUGHTER OF NASER ALI  
RESIDENT OF GAURIPUR  
MADHUSAULMARI PT.II  
DHUBRI  
ASSAM - 783331

4: JYOTI RABI DAS  
DAUGHTER OF MUNNI RABIDAS  
H/NO-645  
GMC ROAD  
BHANGAGARH  
GUWAHATI-05  
ANOWARPUR MASJID LANE  
DISPUR  
KAMRUP METRO  
ASSAM- 781005.

5: MUKESH CHOUDHURY  
SON OF RAMESHWAR CHAUDHARI  
RESIDENT OF BHAWANANDPUR

BEGUSARAI  
PANAPUR  
BIHAR  
PIN- 851127.

6: RAVINDAR KUMAR CHOUDHARI  
SON OF SHREE NARAYAN CHAUDHARI  
RESIDENT OF TARUN NAGAR  
GITANAGAR  
ZOO ROAD  
P.O.- ZOO ROAD  
DISTRICT- KAMRUP METRO  
ASSAM  
PIN- 781024.

7: VIJAY KUMAR CHOUDHARI  
SON OF NARAYAN CHAUDHARI  
RESIDENT OF GMCH ROAD  
MASZID GALI  
GUWAHATI  
DISPUR  
KAMRUP METRO  
ASSAM - 781004.

8: UPENDER CHOUDHURY  
SON OF RAM DEV CHOUDHARY  
RESIDENT OF HOUSE NO. 11  
MASJID GALI  
GMCH ROAD  
NEAR PAWAN BHANDAR  
BHANGAGARH  
GUWAHATI  
DISPUR  
KAMRUP METRO  
ASSAM - 781005.

9: RAM BABU SAH  
SON LATE RAM CHANDRA SAH  
TEKNARI  
P.O.- RAMAULI  
PATEPUR  
BIHAR  
PIN- 843114.

10: SAIFUL ISLAM

SON OF SHAHAR ALI  
RESIDENT OF KATAJHAR PATHAR

KATAJAR PATHAR  
BARPETA  
ASSAM  
PIN-781315.

11: TARIFUL ISLAM  
SON OF ABU TAHER  
VILLAGE- HAHCHARA  
BAGUDI (BAGADI)  
BARPETA  
ASSAM - 781309.

12: MUKUL ALI  
SON OF MOJUNDAR ALI  
RESIDENT OF HOUSE NO. 39  
GMCH ROAD  
BHANGAGARH  
INDRAPUR  
KAMRUP METRO  
ASSAM- 781032

13: CHANDAN KUMAR CHOUDHURY  
SON OF LAL BABU CHOUDHARY  
RESIDENT OF WARD NO. 26  
GMC ROAD BHANGAGARH  
MASZID GALI  
GUWAHATI  
KAMRUP METRO  
ASSAM-781005.

14: BIJOY DEKA  
SON OF HEMKANTA DEKA  
VILL- KAITHPARA  
P.O.- TENGRABARI  
DISTRICT- DARRANG  
PIN- 784525.

15: BALRAM CHOUDHURY  
SON OF LATE JAMUN CHOUDHURY  
MASJID GALI  
BHANGAGARH  
G.S ROAD  
GUWAHATI-78100

VERSUS

ANOWARUDDIN WAKF ESTATE AND 2 ORS.  
REPRESENTED BY ITS MUTAWALLI MOHAMMED NAIF ALI @ MUSTABA

ALI, RESIDENT OF 1ST FLOOR, KAISER COMMERCIAL COMPLEX, BELOW HOTEL NEW GANGA, BHANGAGARH, G.S. ROAD, GUWAHATI- 781005, DISTRICT- KAMRUP (M), ASSAM.

2:NAIF ALI @ MUSTABA ALI  
SON OF LATE MD. MUSHTAQ ALI  
MUTAWALLI OF ANOWARUDDIN WAKF ESTATE  
FIRST FLOOR  
KAISER COMMERCIAL COMPLEX  
BHANGAGARH  
G.S. ROAD  
GUWAHATI- 781005  
DISTRICT- KAMRUP (M)  
ASSAM.

3:THE ASSAM BOARD OF WAKFS  
REPRESENTED BY THE CHIEF EXECUTIVE OFFICER  
SEUJI PATH  
HATIGAON  
GUWAHATI- 781038  
DISTRICT- KAMRUP (M)  
ASSAM

**Advocate for the Petitioner** : MR. A ROY, MR. U. DUTTA,MR. R SARMA

**Advocate for the Respondent** : MR. A I ALI (FOR CAVEATOR), MR. M ISLAM (FOR CAVEATOR),MR. T PEGU (FOR CAVEATOR),MR N KALITA (FOR CAVEATOR)

**BEFORE**  
**HON'BLE MR. JUSTICE ROBIN PHUKAN**

**ORDER**

**01.06.2026**

Heard Mr. R. Sarma, learned counsel for the appellants and also heard Mr. A.I. Ali, learned counsel for the respondent Nos.1 and 2.

This appeal under Order XLIII Rule 1(r) of the Code of Civil Procedure, is directed against the order dated 06.05.2026 passed in Misc.(J) Case No.08/2026 arising out of Title Suit No.25/2026 by the learned Presiding Officer, Wakf Tribunal,

Kamrup(M), Guwahati, whereby an interim injunction order was granted in favour of the respondents.

Perused the memo of appeal and the grounds mentioned therein and also perused the impugned order dated 06.05.2026 passed in Misc.(J) Case No.08/2026, arising out of Title Suit No.25/2026.

Admit.

Issue notice to the respondents, returnable within 2(two) weeks.

However, no formal notice is required to be issued to the respondent Nos.1 and 2, as Mr. Ali has entered appearance on behalf of the said respondents and accepts notice. However, extra requisite copy of the memo of appeal be furnished to Mr. Ali during the course of the day.

Step upon the respondent No.3 be taken by speed post and also by usual process within a week from today.

The appellants will also be at liberty to effect service of notice upon the respondent No.3 through the standing counsel, namely, Mr. Shyamanta Kashyap.

List the matter after 2(two) weeks.

**Sd/- Robin Phukan**  
**JUDGE**

**Comparing Assistant**