

GAHC010108192019



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

Case No. : RSA/259/2019

AZIZUR RAHMAN AND 7 ORS
S/O- LATE KOBBAT ALI

2: HAFIZUR RAHMAN
S/O- LATE KOBBAT ALI

3: ABDUL REZZAK
S/O- LATE HARAN ALI

4: DELOWAR HUSSAIN
S/O- LATE HARAN ALI

5: MAHIBUR RAHMAN DEWAN
S/O- LATE HARAN ALI @ HARUNUR RASHID DEWAN

6: FAZLUR RAHMAN DEWAN
S/O- LATE HARAN ALI @ HARUNUR RASHID DEWAN

7: JAHIDUL ISLAM DEWAN
S/O- LATE HARAN ALI @ HARUNUR RASHID DEWAN

8: ISFAKUR DEWAN
S/O- LATE HARAN ALI @ HARUNUR RASHID DEWAN
ALL ARE RESIDENTS OF VILL.- MANAKUCHA
P.O. AND P.S. KALGACHIA
MOUZA- RUPSHI
DIST.- BARPETA
ASSAM
PIN- 781319

VERSUS

HUMAYUN KABIR AND 4 ORS.
S/O- LATE AMIR HAMZA, S/O- LATE NURJAHAN NESSA

2:SAHERA BHANU
D/O- LATE AMIR HAMZA

3:ON THE DEATH OF RUP BHANU HIS LEGAL HEIRS-
NAMELY-

3.1:ASAN ALI
S/O. LATE HAMID ALI
R/O VILLAGE-RAYPUR
P.O.- BALABHITA
P.S.- BARPETA ROAD
DIST. BARPETA (ASSAM)

PIN-781313.

3.2:SARBESH ALI
S/O.ASAN ALI
R/O VILLAGE-RAYPUR
P.O.- BALABHITA
P.S.- BARPETA ROAD
DIST. BARPETA (ASSAM)

PIN-781313.

3.3:SAJEDA KHATUN
D/O. ASAN ALI
R/O VILLAGE-RAYPUR
P.O.- BALABHITA
P.S.- BARPETA ROAD
DIST. BARPETA (ASSAM)

PIN-781313.

3.4:AJIRAN KHATUN
D/O. ASAN ALI
R/O VILLAGE-RAYPUR
P.O.- BALABHITA
P.S.- BARPETA ROAD
DIST. BARPETA (ASSAM)

PIN-781313.

4:AYSHA SIDDIKA
D/O- LATE AMIR HAMZA

5:ANJUMA KHATUN
D/O- LATE AMIR HAMZA

ALL ARE RESIDENTS OF VILL.- HALDIA PATHER
P.O. GHUGUBARI
P.S. KALGACHIA
DIST.- BARPETA
ASSAM
PIN- 781319

Advocate for the Petitioner : MD. B ISLAM, L K BORAH, MRS R BEGUM, MR. A A
MONDAL, MR S HUSSAIN, MR D. CHAKRABORTY, MS. S S ZIA, MS. R CHOUDHURY

Advocate for the Respondent : MR. S RANA, L K BORAH

Linked Case : I.A.(Civil)/3986/2019

AZIZUR RAHMAN AND 7 ORS
S/O- LATE KOBAT ALI

2: HAFIZUR RAHMAN
S/O- LATE KOBAT ALI

3: ABDUL REZZAK
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DIST.- BARPETA
ASSAM
PIN- 781319.

Advocate for : MD. B ISLAM
Advocate for : appearing for HUMAYUN KABIR AND 4 ORS

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

29.08.2025

Learned counsel Ms. R. Choudhury is present for the appellant/applicants and has submitted that the Office note dated 19.08.2025 indicates that respondent No. 3(i) has passed away. The other respondents being legal heirs of respondent No. 3(i) are already on record and the name of respondent No. 3(i) may be struck of.

The name of respondent No. 3(i) is struck of at the appellants' own risk.

Learned counsel Mr. S. Rana is present for respondent nos. 1, 2, 4 and 5.

Office note dated 19.08.2025 indicates that notices have been served to respondent Nos. 3(ii), 3(iii) and 3(iv).

As the records are received, list this matter for hearing on 23.10.2025.

JUDGE

Comparing Assistant