

GAHC010113532016



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

Case No. : RSA/161/2016

MD MUKIBAR RAHMAN
S/O LATE NIMAI @ MAHIR ALI, R/O NALBARI TOWN, WARD NO. 11,
MAUZA KHATA, P.S. and DIST. NALBARI, ASSAM, PIN 781335

VERSUS

MD ABDUL MATIN and 2 ORS
S/O LATE NIMAI @ MAHIR ALI, R/O NALBARI TOWN, WARD NO. 11,
MAUZA KHATA, P.S. and DIST. NALBARI, ASSAM, PIN NO. 781335

2:MD. MAZIBAR RAHMAN
S/O LATE NIMAI @ MAHIR ALI
R/O NALBARI TOWN
WARD NO. 11
MAUZA-KHATA
P.S. and DIST. NALBARI
ASSAM
PIN NO. 781335

3:ON THE DEATH OF LATE MAMUD @ MAHMUD HUSSAIN HIS LEGAL
HEIRS
NAMELY-

3.1:MRS.ALIJA BEGUM (WIFE)
R/O.WARD NO.11
CIRCUIT HOUSE
BARAMA ROAD
NALBARI
P.S. NALBARI
P.O. NALBARI
PIN-781335
DIST. NALBARI

(ASSAM)

3.2: MUSTAQR RAHMAN (SON)
R/O. WARD NO.11
CIRCUIT HOUSE
BARAMA ROAD
NALBARI
P.S. NALBARI
P.O. NALBARI
PIN-781335
DIST. NALBARI (ASSAM)

3.3: SAHANI HUSSAIN (DAUGHTER)
W/O. SYED KHABIRUDDIN AHMED

R/O VILLAGE-KAMALPUR
P.O. AND P.S.- KAMALPUR
PIN-781380
DIST. KAMRUP (RURAL)
ASSAM

Advocate for the Petitioner : MR.L MOHAN, MR.S ROY,MR.J I BORBHUIYA,MS.F BEGUM

Advocate for the Respondent : MS.B SARMAR-1, MS K SARMA(r-3 (i),(ii),(iii)),MD ASLAM,MR G N SAHEWALLA(r-3 (i),(ii),(iii)),MS. S. TODI (R1)(r-3 (i),(ii),(iii)),MR G N SAHEWALLA (R1),MR.R JAIN(R-1),MR.MD ASLAM(R-1)(r-3 (i),(ii),(iii)),MS.D SWAMI(R-2-3),MR.P DEKA(R-2-3)

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

24.04.2025

- 1.** Heard Mr. S. Roy, the learned counsel for the appellant. Also heard Mr. G.N. Sahewalla, the learned Senior Counsel, assisted by Ms. K. Bhattacharya, the learned counsel for the respondents.
- 2.** The learned counsel for the appellant has prayed for an adjournment on the ground of personal difficulty of the conducting counsel, to which the learned Senior Counsel does not raise any objection.

3. Let this matter be listed on 13th May, 2025.

JUDGE

Comparing Assistant