

GAHC010121222026



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

Case No. : CRP(IO)/247/2026

ZAKIR HUSSAIN MOLLAH AND ANR
S/O MOKBUL HUSSAIN MOLLAH, A R/O VILL- SALMARA PART-II, P.O.-
SALMARA, P.S.- DHUBRI, DIST- DHUBRI, ASSAM

2: AHAD ALI SHEIKH
S/O LT. FAJOR ALI SHEIKH
A R/O VILL- FALIMARI PART-II
P.O.- FALIMARI
P.S.- GAURIPUR
DIST- DHUBRI
ASSAM
PIN- 78332

VERSUS

MAHASIN MONDAL @ MAHASIN HUSSAIN MONDAL AND 8 ORS
S/O LATE SAHJAHAN ALI, A R/O VILL- FALIMARI PART-II, P.O.-
FALIMARAI, P.S.- GAURIPUR, DIST- DHUBRI, ASSAM, PIN- 783325

2:MOOKTER MONDOL @ MOKTER HUSSAIN MONDOL
S/O LATE SAHJAHAN ALI
A R/O VILL- FALIMARI PART-II
P.O.- FALIMARAI
P.S.- GAURIPUR
DIST- DHUBRI
ASSAM
PIN- 783325

3:MOFAJEL MONDOL @ MOFAJEL HUSSAIN MONDOL
S/O LATE SAHJAHAN ALI
A R/O VILL- FALIMARI PART-II
P.O.- FALIMARAI
P.S.- GAURIPUR
DIST- DHUBRI

ASSAM
PIN- 783325

4:ROUSHAN ALI MONDOL
S/O LT. SAHJAHAN ALI MONDOL
A R/O VILL- JHAGRARP PAR PART-III
P.O.- JHAGRARP PAR
P.S.- DHUBRI
DIST- DHUBRI
ASSAM
PIN- 783325

5:ABDUL RASHID MANDAL
S/O LT. SAHJAHAN ALI MONDOL
A R/O VILL- JHAGRARP PAR PART-III
P.O.- JHAGRARP PAR
P.S.- DHUBRI
DIST- DHUBRI
ASSAM
PIN- 783325

6:THE STATE OF ASSAM
TO BE REPRESENTED BY THE DISTRICT COLLECTOR
P.O. AND P.S.- DHUBRI
DIST- DHUBRI
ASSAM

7:THE DISTRICT REGISTRAR
DHUBRI
P.O. AND P.S.- DHUBRI
DIST- DHUBRI
ASSAM
PIN- 783301

8:THE A.S.O./ CIRCLE OFFICER
DHUBRI REVENUE CIRCLE
P.O. AND P.S.- DHUBRI
DIST- DHUBRI
ASSAM
PIN- 783301

9:THE SETTLEMENT OFFICER
DHUBRI AND KOKRAJHAR
P.O. AND P.S.- DHUBRI
DIST- DHUBRI
ASSAM
PIN- 78330

Advocate for the Petitioner : MR. M A I HUSSAIN, MR. S. ALOM,MR. NOOR KUTUB ALAM

Advocate for the Respondent : GA, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

ORDER

Date : 15.06.2026

1. Heard Mr. M. A. I. Hussain, learned counsel for the petitioners. Also heard Mr. T. R. Gogoi, learned Government counsel appearing for the respondent Nos. 6 to 9.

2. This application under Article 227 of the Constitution of India has been filed by the petitioners impugning the order dated 16.03.2026, passed by the Court of learned Civil Judge (Senior Division), Dhubri, in Misc. (J) Case No. 44/2025 in connection with Title Suit No. 10/2025 whereby the prayer made by the present petitioners for stay of the said suit in view of the pendency of an earlier suit i.e., Title Suit No. 206/2021 has been rejected.

3. Issue notice to the respondents.

4. The petitioners shall take steps for issuance of notice upon the respondents by speed post as well as by usual mode within seven days from the date of this order, returnable on 24th of July, 2026.

5. Since, Mr. T. R. Gogoi, learned Government counsel has appeared for the respondent Nos. 6 to 9, no formal notice need to be issued to the said respondents.

6. However, the petitioners are directed to furnish requisite numbers of

petition along with annexures to the learned Government counsel for the respondent Nos. 6 to 9.

7. The prayer for interim relief shall be considered only after due service of notice on the remaining respondents.

8. List accordingly.

JUDGE

Comparing Assistant