

GAHC010124182022



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

**Case No. : RSA/93/2023**

TAIYAB ALI  
S/O LATE ISHA HOQUE MIAH,  
RESIDENT OF BIDYAPARA, WARD NO. 10, DHUBRI TOWN, PS AND DIST  
DHUBRI, ASSAM

VERSUS

SUBHASH SARMA AND 2 ORS.  
(BLACKSMITH) S/O LATE DURGA MISTRI SARMA, RESIDENT OF NEW  
MARKET, WARD NO. 10, DHUBRI TOWN, PS AND DIST DHUBRI, ASSAM

2:MD. FOEZ ALI  
S/O LATE MASAN ALI  
RESIDENT OF BIDYAPARA  
AFTAB UDDIN ROAD  
WARD NO. 10  
DHUBRI TOWN  
PS AND DIST DHUBRI  
ASSAM

3:MUSST. SETARA BEGUM  
W/O MD. FOEZ ALI

D/O NUR HABIB  
RESIDENT OF BIDYAPARA  
AFTAB UDDIN ROAD  
WARD NO. 10  
DHUBRI TOWN  
PS AND DIST DHUBRI  
ASSA

**Advocate for the Petitioner** : MR. A RAHMAN, MR. A HOQUE

**Advocate for the Respondent** : MS. R CHOUDHURY (R-2,3), MS F N ZAMAN (R-2,3),MS. B. HAZARIKA (R-2,3)

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

**ORDER**

**29.10.2025**

- 1.** Heard Ms. P. Lingdo, learned counsel appearing for Mr. A. Rahman, learned counsel for the appellant. Also heard Ms. R. Choudhury, learned counsel for the respondent nos. 2 & 3
- 2.** It is submitted by the learned counsel for the appellant that appellant has already taken steps for issuance of notice upon respondent no. 1 through dasti mode. However, she prays for some time show that an affidavit-in-compliance may be submitted by appellant.
- 3.** It appears from order dated 17.09.2025 that appellant was directed to file affidavit-in-compliance on 24.10.2025, however, they have not done so.
- 4.** However, considering the submissions made by the learned counsel for the appellant one more chance is given to the appellant to file affidavit-in-compliance on the next date fixed.
- 5.** Let this matter be listed on 06.11.2025.

**JUDGE**

**Comparing Assistant**