

GAHC010137702023



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

Case No. : RSA/124/2023

ABDUL HOQUE BARBHUIYA
S/O LATE HABIB ALI BARBHUIYA
RESIDENT OF HAILAKANDI TOWN, WARD NO. 2, PO VICHINGCHA, PS
HAILAKANDI, DIST HAILAKANDI, ASAM 788151

VERSUS

JAMAL UDDIN MAZUMDER AND 4 ORS.
S/O LATE ATAUR RAHMAN MAZUMDER
RESIDENT OF HAILAKANDI TOWN, WARD NO. 2, PO VICHINGCHA, PS
HAILAKANDI, DIST HAILAKANDI, ASAM 788151

2:MAYARUN NESSA
D/O LATE ATAUR RAHMAN MAZUMDER
W/O NAZRUL HOQUE CHOUDHURY
RESIDENT OF HAILAKANDI TOWN
WARD NO. 2
PO VICHINGCHA
PS HAILAKANDI
DIST HAILAKANDI
ASAM 788151

3:RIJMA BEGUM
D/O LATE ATAUR RAHMAN MAZUMDER
W/O WAJINUR LASKAR
RESIDENT OF NARAINPUR PART III
PS HAILAKANDI
DIST HAILAKANDI
ASAM 788152

4:AYESHA BEGUM
D/O LATE ATAUR RAHMAN

W/O LUBAB UDDIN

RESIDENT OF BARAIGRAM
PS NILAMBAZAR
DIST KARIMGANJ
ASSAM 788723

5:RIMA BEGUM
D/O LATE ATAUR RAHMAN MAZUMDER
RESIDENT OF HAILAKANDI TOWN
WARD NO. 2
PO VICHINGCHA
PS HAILAKANDI
DIST HAILAKANDI
ASAM 788151

6:MD. MINHAZ UDDIN LASKAR

S/O LATE HAJI MD. NASIB UDDIN LASKAR

RESIDENT OF HAILAKANDI TOWN WARD NO. 1
C/O M/S LASKAR TRADERS
HAILAKANDI TOWN
HAILAKANDI TOWN
PO
PS AND DIST HAILAKANDI
ASSAM 788151

7:MD. SIRAJ UDDIN LASKAR
S/O LATE HAJI MD. NASIB UDDIN LASKAR

RESIDENT OF HAILAKANDI TOWN WARD NO. 1
C/O M/S LASKAR TRADERS
HAILAKANDI TOWN
HAILAKANDI TOWN
PO
PS AND DIST HAILAKANDI
ASSAM 788151

8:ANAM UDDIN LASKAR
S/O ABDUL WAHAB LASKAR
RESIDENT OF HAILAKANDI TOWN
WARD NO. 4
PO PS AND DIST HAILAKANDI
ASSAM 78815

Advocate for the Petitioner : MR F U BARBHUIYA, MS S DAS,MR H R A CHOUDHURY

Advocate for the Respondent : MR. M H RAJBARBHUIYAN (r- 1 to 3),

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

ORDER

Date : 17.10.2025

- 1.** Heard Ms. S. Das, the learned counsel for the appellant.
- 2.** The office note dated 01.08.2025 shows that the notice issued to the respondent Nos. 4, 6 and 7 have returned back after due service with endorsement in respect of the respondent Nos. 6 and 7 "addressee left returnable to sender" and with an endorsement in respect of respondent No.4 as "addressee not found returnable to sender".
- 3.** The learned counsel for the appellant has submitted that since the respondent Nos. 1, 2 and 3 have appeared in this appeal by filing vakalatnama, the appellant may be allowed to take proper address of the respondent Nos. 4 and 5 from the learned counsel appearing for the respondent Nos. 1, 2 and 3.
- 4.** The prayer is allowed.
- 5.** The learned counsel for the appellant may obtain the correct address of the respondent Nos. 4 and 5 from the learned counsel for the respondent Nos. 1, 2 and 3.
- 6.** In respect of the respondent No.6 and 7, the learned counsel for the appellant seeks two weeks' time to get correct address of the said address and thereafter, take steps for issuance of notice.
- 7.** The prayer is allowed.
- 8.** The records of the Trial Court as well as the First Appellate Court have not yet been received.
- 9.** Issue reminder for the same.

- 10.** Registry to issue reminder for the aforesaid.
- 11.** The Registry to issue the requisition for the same.
- 12.** Let this matter be listed after two weeks.

JUDGE

Comparing Assistant