

GAHC010149402018



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

Case No. : RFA 108/2018

1:MD ABDUL MATIN AND ANR
S/O LATE TANIJUDDIN SHEIKH @ AHMED
RESIDENT OF BARPARA, BOKO, PS BOKO, DISTRICT KAMRUP ASSAM
781123

2: MD. USMAN GANI
S/O LATE TANIJUDDIN SHEIKH @ AHMED
RESIDENT OF BARPARA
BOKO
PS BOKO
DISTRICT KAMRUP ASSAM 78112

VERSUS

1:MRS TAHIRA BEGUM AND 3 ORS
W/O MD. ANOWAR HUSSAIN
R/O NEW COLONEY (MIRZA)
ROAD NO 1, PO MIRZA PS PALASHBARI
DIST KAMRUP ASSAM
781125

2:MRS. ABIBA BEGUM
W/O MD. AMIR FARUQUE
RESIDENT OF DHUPDHARA TOWN
DIST GOALPARA
ASSAM
783123

3:MRS. ANOWARA BEGUM
W/O MD. DILIP KHANDAKAR
RESIDENT OF DOODHNOI
SARAPRA
DIST GOALPARA
ASSAM

78312

4:MRS. BULBULI KHATUN @ BULBULI BEGUM
W/O LATE TAMIJUDDIN SHEIKH @ AHMED
R/O BARPARA
BOKO
PS BOKO
DIST KAMRUP ASSAM
78112

Advocate for the Petitioner : MR. N N JHA

Advocate for the Respondent : MR. R J BORDOLOI

**BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA**

ORDER

Date : 20-08-2018

Heard Ms. N. Sahu, learned Proxy counsel for the appellant as well as Mr. R. Ali, learned counsel appearing for the respondents No.1, 2 and 3. In the cause title, there is no respondents No.2 and 3 and the 2nd respondent is shown to be at Sl. No.4. therefore, the counsel for the appellant may correct the seriatim of the cause title by putting his initial signature after the corrections are made.

This appeal under section 96 CPC is directed against the judgment and decree dated 19.04.2018 passed by the learned Civil Judge, Kamrup, Amingaon in T.S. No.221/2014 by which the suit of the respondents No.1, 2 and 3 was decreed.

Appeal is admitted for hearing.

Call for the records.

As Mr. R. Ali, learned counsel accepts notice for the respondents No.1, 2 and 3, no steps is required to be issued.

However, issue notice to proforma respondent No.4. Notice is made returnable on **03.10.2018**. The appellant shall take steps for service of notice on the proforma respondent No.4 by usual process as well as by registered post within a period of 2(two)

days.

List the matter on ***03.10.2018.***

JUDGE

Comparing Assistant