

GAHC010188532024



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

Case No. : RSA/173/2024

ON THE DEATH OF MD ABDUL JABBAR HIS LEGAL HEIRS AMBIYA
KHATUN @ AMBIA KHATUN AND 4 ORS
(WIFE)
RESIDENT OF VILAGE BHEHUGURI, PO SILPUKHURI, PS MIKIRBHETA,
DIST MORIGAON, ASSAM 782123

2: MOSFI UDDIN AHMED
(SON)
RESIDENT OF VILAGE BHEHUGURI
PO SILPUKHURI
PS MIKIRBHETA
DIST MORIGAON
ASSAM 782123

3: SULTAN MAHMUD ZAKARIA
(SON)
RESIDENT OF VILAGE BHEHUGURI
PO SILPUKHURI
PS MIKIRBHETA
DIST MORIGAON
ASSAM 782123

4: SHAHNAJ KOHINUR
(DAUGHTER)
RESIDENT OF VILAGE BHEHUGURI
PO SILPUKHURI
PS MIKIRBHETA
DIST MORIGAON
ASSAM 782123

5: HASINA KOHINUR
(DAUGHTER)

RESIDENT OF VILAGE BHEHUGURI

PO SILPUKHURI
PS MIKIRBHETA
DIST MORIGAON
ASSAM 78212

VERSUS

ON THE DEATH OF GIRISH CH NATH HIS LEGAL HEIRS SWAPNA
BORKAKATI AND ORS
WIFE
RESIDENT OF SARASWATI APARTMENT (BHATIA), PS DISPUR , PO DISPUR
DIST KAMRUP M ASSAM 781005

2:DHIREN BORKAKATI
(SON)
RESIDENT OF SARASWATI APARTMENT (BHATIA)
PS DISPUR
PO DISPUR DIST KAMRUP M ASSAM 781005

3:MAINA BORKAKATI
(SON)
RESIDENT OF SARASWATI APARTMENT (BHATIA)
PS DISPUR
PO DISPUR DIST KAMRUP M ASSAM 781005

4:KABINDRA MOHAN BORKAKATI
S/O LATE PURNA CH. NATH

DIRECTOR OF AGRICULTURE DEPTT.
PO KHANAPARA
DIST KAMRUP M ASSAM 781022
PERMANENT ADDRESS
VILLAGE BORIGAON
PO HABIBARANGABARI
PS MIKIRBHETA
DIST MORIGAON
ASSAM 782103

5:MD. JALAL UDDIN

S/O LATE IBRAHIM
RESIDENT OF VILLAGE BHEHUGIR
PO SILPUKHURI
PS MIKIRBHETA DIST MORIGAON ASSAM 782123

6:MD. MAMUD ALI
S/O LATE IBRAHIM
RESIDENT OF VILLAGE BHEHUGIR

PO SILPUKHURI
PS MIKIRBHETA DIST MORIGAON ASSAM 782123

7:MD. FAKAR UDDIN

S/O JLAL UDDIN
RESIDENT OF VILLAGE BHEHUGIR
PO SILPUKHURI
PS MIKIRBHETA DIST MORIGAON ASSAM 782123

8:ON THE DEATH OF MD. AYNE ALI HIS LEGAL HEIRS
HALIMA KHATUN
(WIFE)
RESIDENT OF VILLAGE BHEHUGIR
PO SILPUKHURI
PS MIKIRBHETA DIST MORIGAON ASSAM 782123

9:NUR JAMAL
(SON)
RESIDENT OF VILLAGE BHEHUGIR
PO SILPUKHURI
PS MIKIRBHETA DIST MORIGAON ASSAM 782123

10:GULZAR HUSSAIN
(SON)
RESIDENT OF VILLAGE BHEHUGIR
PO SILPUKHURI
PS MIKIRBHETA DIST MORIGAON ASSAM 782123

11:DILDAR HUSSAIN
(SON)
RESIDENT OF VILLAGE BHEHUGIR
PO SILPUKHURI
PS MIKIRBHETA DIST MORIGAON ASSAM 782123

12:UME HANI
(DAUGHTER)
W/O ABDUL KALAM
RESIDENT OF VILLAGE BHEHUGIR
PO SILPUKHURI
PS MIKIRBHETA DIST MORIGAON ASSAM 782123

13:ABDUL REZZAK
S/O LATE SWAB ALI
RESIDENT OF VILLAGE BHEHUGIR
PO SILPUKHURI
PS MIKIRBHETA DIST MORIGAON ASSAM 782123

14:ON THE DEATH OF ABDUL HYE
HIS LEGAL HEIR RASHIDA KHATUN
(WIFE)
RESIDENT OF VILLAGE BHEHUGIR
PO SILPUKHURI
PS MIKIRBHETA DIST MORIGAON ASSAM 782123

15:FERDOUS ALI
(SON)
RESIDENT OF VILLAGE BHEHUGIR
PO SILPUKHURI
PS MIKIRBHETA DIST MORIGAON ASSAM 782123

16:MUBARAK ALI
S/O LATE SWAB ALI

RESIDENT OF VILLAGE BHEHUGIR
PO SILPUKHURI
PS MIKIRBHETA DIST MORIGAON ASSAM 782123

17:MD. AHIJ UDDIN
S/O LATE SWAB ALI

RESIDENT OF VILLAGE BHEHUGIR
PO SILPUKHURI
PS MIKIRBHETA DIST MORIGAON ASSAM 782123

18:MD. TAHURUDDIN
S/O LATE SWAB ALI

RESIDENT OF VILLAGE BHEHUGIR
PO SILPUKHURI
PS MIKIRBHETA DIST MORIGAON ASSAM 782123

19:MD. ISMILE
S/O LATE SWAB ALI

RESIDENT OF VILLAGE BHEHUGIR
PO SILPUKHURI
PS MIKIRBHETA DIST MORIGAON ASSAM 782123

20:MD. RABI HUSSAIN
S/O LATE SWAB ALI

RESIDENT OF VILLAGE BHEHUGIR
PO SILPUKHURI
PS MIKIRBHETA DIST MORIGAON ASSAM 782123

21:MD. SAMSUDDIN

S/O RAJAB ALI

RESIDENT OFDIGHALI PATHAR
PO ROWMARI BILL
PS MIKIRBHETA
DIST MORIGAON
ASSAM 782123

22:MD. NAZIMUDDIN

S/O KARFUL ALI

RESIDENT OFDIGHALI PATHAR
PO ROWMARI BILL
PS MIKIRBHETA
DIST MORIGAON
ASSAM 782123

23:SRI LAHAR BORKAKATI

S/O LATE LEELA BORKAKATI

RESIDENT OF NALINIBALA PATH
CHRISTIAN BASTI GUWAHATI PO DISPUR DIST KAMRUP M ASSAM
781005
PERMANENT ADDRESS
VILLAGE BORIGAON
PO HABI BARANGABARI
MOUZA AND PS MIKIRBHETA DIST MORIGAON
ASSAM 782105

24:SRI DAWAR BORKAKATI @ HEMANTA DAWAR BORKAKATI

S/O LATE LEELA BORKAKATI

RESIDENT OF NALINIBALA PATH
CHRISTIAN BASTI GUWAHATI PO DISPUR DIST KAMRUP M ASSAM
781005
PERMANENT ADDRESS
VILLAGE BORIGAON
PO HABI BARANGABARI
MOUZA AND PS MIKIRBHETA DIST MORIGAON
ASSAM 782105

25:SMTI DEEPTI BORKAKATI

W/O LATE LEELA BORKAKATI

RESIDENT OF NALINIBALA PATH
CHRISTIAN BASTI GUWAHATI PO DISPUR DIST KAMRUP M ASSAM

781005
PERMANENT ADDRESS
VILLAGE BORIGAON
PO HABI BARANGABARI
MOUZA AND PS MIKIRBHETA DIST MORIGAON
ASSAM 782105

26:SMTI PALKI BORKAKATI
D/O LATE LEELA BORKAKATI

RESIDENT OF NALINIBALA PATH
CHRISTIAN BASTI GUWAHATI PO DISPUR DIST KAMRUP M ASSAM
781005
PERMANENT ADDRESS
VILLAGE BORIGAON
PO HABI BARANGABARI
MOUZA AND PS MIKIRBHETA DIST MORIGAON
ASSAM 78210

Advocate for the Petitioner : MS. R CHOUDHURY, MS F N ZAMAN,MS. B. HAZARIKA

Advocate for the Respondent : MR D K DAS, MS. S DAS,MR. R K NATH,M KHATONIAR,MS. P BHUYAN

BEFORE
DEPUTY REGISTRAR (BENCH) - MR. SAPTARSHI DAS

ORDER

Date : 12.02.2026

Case taken up before the Lawazima Court.

None appears on behalf of the appellants.

Perused the records.

A careful perusal of the instant case record reveals that the previous Lawazima Court vide its order dated 12.08.2025 had directed the appellants to take fresh steps for service of notice upon the respondent Nos. 1,2, 2, 11, 12, 13, 16, 17, 18 & 19 by way of registered post with A/D as well as by way of usual process mode, within 7 (seven) days from the date of the said order.

However, a perusal of the recent office note dated 11.02.2026 reveals that the appellants have not yet taken fresh steps for issuance of notice to the above mentioned

respondents.

In view of the above, **the appellants are afforded further 7 (seven) days time to take fresh steps for service of notice upon the respondent Nos. 1.2, 2, 11, 12, 13, 16, 17, 18 & 19 by way of speed post mode *[in terms of the Notification No. 85 dated 15th October, 2025 (at Flag-'N')]* and by way of usual process mode.**

Let the matter be listed before the Lawazima Court again on 16.03.2026.

Deputy Registrar (Bench)

Comparing Assistant