

GAHC010193282025



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

Case No. : I.A.(Civil)/2902/2025

MUSTT ALEKA BANU AND ORS
W/O LATE PYAR HUSSAIN
RESIDENT OF RUPOHI TOWN
MOUZA KHATOWAL DIST NAGAON (ASSAM)

2: MD. ASHADUL
S/O LATE PYAR HUSSAIN
RESIDENT OF RUPOHI TOWN
MOUZA KHATOWAL DIST NAGAON (ASSAM)

3: MD. MUKSHADUL
S/O LATE PYAR HUSSAIN
RESIDENT OF RUPOHI TOWN
MOUZA KHATOWAL DIST NAGAON (ASSAM)

4: MD. JIBAHIL
S/O LATE PYAR HUSSAIN
RESIDENT OF RUPOHI TOWN
MOUZA KHATOWAL DIST NAGAON (ASSAM)
VERSUS

ON THE DEATH OF RAFIQULLAH DEWAN AND ORS
HIS LEGAL HEIRS

1.1:DILWAR HUSSAIN DEWAN
RESIDENT OF RUPOHI TOWN
MOUZA KHATOWAL DIST NAGAON (ASSAM)

1.2:MUKTAR HUSSAIN DEWAN
RESIDENT OF RUPOHI TOWN
MOUZA KHATOWAL DIST NAGAON (ASSAM)

1.3:MANZILA KHATUN
RESIDENT OF RUPOHI TOWN

MOUZA KHATOWAL DIST NAGAON (ASSAM)

1.4:ABEDA KHATUN
ALL ARE RESIDENT OF RUPOHI TOWN
MOUZA KHATOWAL DIST NAGAON (ASSAM) 782125

2:MUSST. KULSUM BIBI
W/O LATE SUBED ALI

RESIDENT OF NLIBAGAN
DIST NAGAON
ASSAM

Advocate for : MR. D MOZUMDER
Advocate for : MR A R BHUYAN appearing for ON THE DEATH OF RAFIQULLAH
DEWAN AND ORS

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

09.01.2026

Heard Ms. K. Bharali, learned counsel for the applicants and Mr. N.Z. Choudhury, learned counsel for the opposite party.

2. This interlocutory application, under Order XXII Rule 2 of the CPC, is preferred by the applicants for substitution of the legal heirs of the respondent No. 1, in RSA No. 298/2018.

3. Ms. Bharalli, learned counsel for the applicants submits that the respondent No. 1 suffered demise on 07.07.2025 and as such, their legal heirs are required to be impleaded in his place.

4. The learned counsel for the opposite party submits that he has no objection in the event of allowing this application.

5. Considering the submissions of learned counsel for both the parties and

also considering the facts and circumstances on the record, this interlocutory application stands allowed.

6. Accordingly, it is provided that the names of the legal heirs of the respondent No. 1 be impleaded in the connected appeal.

7. In terms of above, this I.A. stands disposed of.

JUDGE

Comparing Assistant