

GAHC010015322026



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

Case No. : I.A.(Civil)/199/2026

GANESH BARMAN
RESIDENT OF VILLAGE MANUSHYAPUR, PO VATERBOND, PS RATABARI,
DIST SRIBHUMI, ASSAM 788735

2: BENU GOPAL BARMAN
S/O LATE SURATH CHANDRA TRIPURA

RESIDENT OF VILLAGE MANUSHYAPUR
PO VATERBOND
PS RATABARI
DIST SRIBHUMI
ASSAM 788735

3: BRAJENDRA BARMAN
S/O LATE BHARAT BARMAN

RESIDENT OF VILLAGE MANUSHYAPUR
PO VATERBOND
PS RATABARI
DIST SRIBHUMI
ASSAM 78873

VERSUS

ON THE DEATH OF ABDUR KADIR,
HIS LEGAL HEIRS

1.1:BADRUL
SON
RESIDENT OF VILLAGE MANUSHYAPUR
PO VATERBOND
PS RATABARI
DIST SRIBHUMI
ASSAM 788735

1.2:JABAUL
SON
RESIDENT OF VILLAGE MANUSHYAPUR
PO VATERBOND
PS RATABARI
DIST SRIBHUMI
ASSAM 788735

1.3:JOYNUL
SON
RESIDENT OF VILLAGE MANUSHYAPUR
PO VATERBOND
PS RATABARI
DIST SRIBHUMI
ASSAM 788735

1.4:MOINUL
SON
RESIDENT OF VILLAGE MANUSHYAPUR
PO VATERBOND
PS RATABARI
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ASSAM 788735

1.5:FAKRUL
SON
RESIDENT OF VILLAGE MANUSHYAPUR
PO VATERBOND
PS RATABARI
DIST SRIBHUMI
ASSAM 788735

1.6:YEARUN
DAUGHTER

RESIDENT OF VILLAGE MANUSHYAPUR
PO VATERBOND
PS RATABARI
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1.7:SABARA
DAUGHTER

RESIDENT OF VILLAGE MANUSHYAPUR
PO VATERBOND
PS RATABARI

DIST SRIBHUMI
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1.8:FATARUN
DAUGHTER

RESIDENT OF VILLAGE MANUSHYAPUR
PO VATERBOND
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1.9:BULBULI
WIDOW

RESIDENT OF VILLAGE MANUSHYAPUR
PO VATERBOND
PS RATABARI
DIST SRIBHUMI
ASSAM 788735

2:ABDUL LAIK
RESIDENT OF VILLAGE MANUSHYAPUR
PO VATERBOND
PS RATABARI
DIST SRIBHUMI
ASSAM 788735

3:NANAI MIA
S/O LATE NAIDUR RAHMAN

RESIDENT OF VILLAGE MANUSHYAPUR
PO VATERBOND
PS RATABARI
DIST SRIBHUMI
ASSAM 78873

Advocate for the Petitioner : MR. M H RAJBARBHUIYAN, MRS R CHETRI

Advocate for the Respondent : MR K UDDIN,

Linked Case : RSA/392/2017

GANESH BARMAN and 2 ORS

2: BENOGOPAL BARMAN

SONS OF LATE CHANDRA TRIPURA

3: BROJENDRA BARMAN

S/O LATE BHARAT BARMAN
ALL R/O VILL. MANUSHYAPUR
P.O. VATERBOND
P.S. RATABARI
DIST. KARIMGANJ
ASSAM
PIN 788735
VERSUS

ABDUL KADIR and 2 ORS
RESPONDENTS

2:ABDUL LAIK

3:NANAI MIA

SONS OF ABDUL KADIR
ALL R/O VILL. MANUSHYAPUR
P.O. VATERBOND
P.S. RATABARI
DIST. KARIMGANJ
ASSAM
PIN 788735

Advocate for : MR. W RAHMAN
Advocate for : DR. B AHMED (R 1-3) appearing for ABDUL KADIR and 2 ORS

Linked Case : I.A.(Civil)/426/2026

GANESH BARMAN
SON OF LATE CHANDRA TRIPURA

R/O VILL. MANUSHYAPUR

P.O. VATERBOND
P.S. RATABARI
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PIN 788735

2: BENU GOPAL BARMAN
SON OF LATE CHANDRA TRIPURA

R/O VILL. MANUSHYAPUR
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S/O LATE BHARAT BARMAN

R/O VILL. MANUSHYAPUR
P.O. VATERBOND
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VERSUS

ABDUL KADIR
S/O LATE NAIDUR RAHMAN

R/O VILL. MANUSHYAPUR
P.O. VATERBOND
P.S. RATABARI
DIST. KARIMGANJ
ASSAM
PIN 788735

2:ON THE DEATH OF ABDUL LAIK

HIS LEGAL HEIRS

2.1:AMIR UDDIN
(SON)
R/O VILL. MANUSHYAPUR
P.O. VATERBOND
P.S. RATABARI
DIST. KARIMGANJ
ASSAM

PIN 788735

2.2:JAMIR UDDIN
(SON)
R/O VILL. MANUSHYAPUR
P.O. VATERBOND
P.S. RATABARI
DIST. KARIMGANJ
ASSAM
PIN 788735

2.3:SAIRA BIBI
(WIDOW)
R/O VILL. MANUSHYAPUR
P.O. VATERBOND
P.S. RATABARI
DIST. KARIMGANJ
ASSAM
PIN 788735

3:NANAI MIA
S/O LATE NAIDUR RAHMAN

R/O VILL. MANUSHYAPUR
P.O. VATERBOND
P.S. RATABARI
DIST. KARIMGANJ
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PIN 788735

Advocate for : MR. M H RAJBARBHUIYAN
Advocate for : MR. K UDDIN appearing for ABDUL KADIR

Linked Case : I.A.(Civil)/200/2026

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1.5:FAKRUL
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Advocate for : MR. M H RAJBARBHUIYAN
Advocate for : MR K UDDIN appearing for ON THE DEATH OF ABDUL KADIR

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Advocate for : MR. M H RAJBARBHUIYAN
Advocate for : MR K UDDIN appearing for ON THE DEATH OF ABDUL KADIR

BEFORE
HONOURABLE MR. JUSTICE SANJEEV KUMAR SHARMA

ORDER

Date : 25.02.2026

Heard Ms. R. Chetri, learned counsel for the applicant.

This I.A. has been filed under Section 5 of the Limitation Act, 1963 seeking condoning the delay of 76 days in preferring the connected application for substitution of the legal heirs of the deceased/ respondent No. 1, late Abdul Kadir, who died on 15/06/2025 as well as for setting aside of abatement of the connected petition being RSA No. 392/2017.

Issue notice to the opposite party, returnable within 4 weeks.

Steps be taken by registered post with A/D as well as ordinary process within three days from today.

List the matter after **4 weeks**.

JUDGE

Comparing Assistant