

GAHC010225762024



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

Case No. : I.A.(Civil)/3324/2024

SHAHNAZ RASUL AND 3 ORS
D/O LATE IFTEKHAR RASUL, RESIDENT OF DANISH ROAD, LAKHTOKIA
GUWAHATI 781001, ASSAM

2: SRI EVAN ZIAUR RASUL
S/O LATE IFTEKHAR RASUL

RESIDENT OF DANISH ROAD
LAKHTOKIA GUWAHATI 781001
ASSAM

3: SMTI. NAFISA RASUL
D/O LATE IFTEKHAR RASUL

RESIDENT OF DANISH ROAD
LAKHTOKIA GUWAHATI 781001
ASSAM

4: SRI ZOHEB RASUL
S/O LATE IFTEKHAR RASUL

RESIDENT OF DANISH ROAD
LAKHTOKIA GUWAHATI 781001
ASSA

VERSUS

KIRAN MAMTAZ RASUL AND 2 ORS
W/O LATE IMTIAZ RASUL, RESIDENT OF DANISH ROAD, LAKHTOKIA
GUWAHATI 781001, ASSAM

2:MD. INTEKAB RASUL
S/O LATE IMTIAZ RASUL

RESIDENT OF DANISH ROAD
LAKHTOKIA GUWAHATI 781001
ASSAM

3:MD. ISTEEAK RASUL
W/O LATE IMTIAZ RASUL

RESIDENT OF DANISH ROAD
LAKHTOKIA GUWAHATI 781001
ASSA

Advocate for the Petitioner : MR. S K GHOSH, MR. M K CHOUDHURY,MR P
BHARDWAJ,MR. M SARMA

Advocate for the Respondent : ,

Linked Case : I.A.(Civil)/3322/2024

SHAHNAZ RASUL AND 3 ORS
D/O LATE IFTEKHAR RASUL
RESIDENT OF DANISH ROAD
LAKHTOKIA GUWAHATI 781001
ASSAM

2: SRI EVAN ZIAUR RASUL
S/O LATE IFTEKHAR RASUL

RESIDENT OF DANISH ROAD
LAKHTOKIA GUWAHATI 781001
ASSAM

3: SMTI. NAFISA RASUL
D/O LATE IFTEKHAR RASUL

RESIDENT OF DANISH ROAD
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ASSAM

4: SRI ZOHEB RASUL
S/O LATE IFTEKHAR RASUL

RESIDENT OF DANISH ROAD
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KIRAN MAMTAZ RASUL AND 2 ORS
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W/O LATE IMTIAZ RASUL

RESIDENT OF DANISH ROAD
LAKHTOKIA GUWAHATI 781001
ASSAM

Advocate for : MR. S K GHOSH
Advocate for : appearing for KIRAN MAMTAZ RASUL AND 2 ORS

Linked Case : RSA/200/2024

SHAHNAZ RASUL AND 3 ORS
D/O LATE IFTEKHAR RASUL

RESIDENT OF DANISH ROAD
LAKHTOKIA GUWAHATI 781001
ASSAM

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3: SMTI. NAFISA RASUL
D/O LATE IFTEKHAR RASUL

RESIDENT OF DANISH ROAD

LAKHTOKIA GUWAHATI 781001
ASSAM

4: SRI ZOHEB RASUL
S/O LATE IFTEKHAR RASUL

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Advocate for : MR. S K GHOSH
Advocate for : appearing for KIRAN MAMTAZ RASUL AND 2 ORS

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

05.05.2025

1. Heard learned counsel Mr. S. K. Ghosh for the appellant/applicant.
2. This application has been filed under Order 39 Rule 1 & 2 read with Section

151 of the CPC with prayer for injunction restraining the respondent from collecting rent from the suit property mentioned in the Schedule-B of the application.

3. Office note dated 03.01.2025 indicates that notices have been served on respondent Nos. 1 to 3 but the respondents are not represented today.

4. Learned counsel for the appellant has prayed for ex-parte injunction as the balance of convenience is in his favour. However, a last opportunity is accorded to the respondents, failing which this case may be decided ex-parte.

5. List this matter after 2 (two) weeks.

JUDGE

Comparing Assistant