

GAHC010054892026



undefined

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

**Case No. : MC/30/2026**

MD RAFIQUDDIN AND ORS  
S/O LT. DEVANATH ULLAH

2: MUSTT. SARUTUN NESSA  
S/O. LT. HABIB ALI

3: MD. AFTABUDDIN ALI

S/O. LT. AYUB ALI

4: MD. AKADDAS ALI

S/O. LT. ARAB ALI

5: MAINUDDIN @ MAJIBAR RAHMAN  
S/O. MD. MAJUR ALI

6: ON THE DEATH OF KUTUB ALI @ FAZIR ALI  
HIS LEGAL HEIRS

6.1: PIYARA BEGUM  
W/O LATE KUTUB ALI @ FAZIR ALI

6.2: KASIM ALI  
S/O LATE KUTUB ALI @ FAZIR ALI

6.3: MD. NIYAZ UDDIN  
S/O LATE KUTUB ALI @ FAZIR ALI

6.4: MD. SABIR AHMED  
S/O LATE KUTUB ALI @ FAZIR ALI

7: MD. SAMSUL HOQUE  
S/O. ABDUL KADIR

8: SALIM HUSSIN NOTICE SENT AFTABUDDIN  
S/O. LT. TANJID ALI

9: MUBARAK ALI  
(NOTICE TO KUTUB ALI)  
S/O. LT  
HAJI SHAKIR ALI CHOUDHURY

10: JALALUDDIN  
S/O. LT. SARAFUTULLA NOTICE TO SARAFUTULLAH ALL ARE OF VILL.  
PACHIM DHANI RAM PATHAR  
MOUZA-HOJAI  
P.S. HOJAI  
DIST. NAGAON  
ASSAM

VERSUS

THE STATE OF ASSAM AND ORS  
REPRESENTED BY COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM,  
REVENUE DEPTT., DISPUR, GHY 06

2:THE DY. COMMISSIONER

HOJAI.

3:THE ADDL. DEPUTY COMMISSIONER

HOJAI CUM S.D.O. C.

4:THE CIRCLE OFFICER

HOJAI REVENUE CIRCLE  
HOJAI

**Advocate for the Petitioner** : MR A A DEWAN, MR. SK S N MOHAMMAD,MR. KHAIRUL  
ISLAM,MR H A RASHID

**Advocate for the Respondent** : SC, REVENUE, GA, ASSAM

Linked Case : WP(C)/6616/2016

MD. RAFIQUDDIN and 9 ORS.  
S/O. LT. DEVANATH ULLAH

2: MUSTT. SARUTUN NESSA  
S/O. LT. HABIB ALI

3: MD. AFTABUDDIN ALI

S/O. LT. AYUB ALI

4: MD. AKADDAS ALI

S/O. LT. ARAB ALI

5: MAINUDDIN @ MAJIBAR RAHMAN  
S/O. MD. MAJUR ALI

6: KUTUB ALI @ FAZIR ALI  
S/O. LT. BHERAI MIA

7: MD. SAMSUL HOQUE  
S/O. ABDUL KADIR

8: SALIM HUSSIN NOTICE SENT AFTABUDDIN  
S/O. LT. TANJID ALI

9: MUBARAK ALI  
NOTICE TO KUTUB ALI  
S/O. LT  
HAJI SHAKIR ALI CHOUDHURY

10: JALALUDDIN  
S/O. LT. SARAFUTULLA NOTICE TO SARAFUTULLAH ALL ARE OF VILL.  
PACHIM DHANI RAM PATHAR  
MOUZA-HOJAI  
P.S. HOJAI  
DIST. NAGAON  
ASSAM.  
VERSUS

THE STATE OF ASSAM AND 3 ORS  
REP. BY COMM. and SECY. TO THE GOVT. OF ASSAM  
REVENUE DEPTT.  
DISPUR

GHY.-06.

2:THE DY. COMMISSIONER

HOJAI.

3:THE ADDL. DEPUTY COMMISSIONER

HOJAI CUM S.D.O. C.

4:THE CIRCLE OFFICER

HOJAI REVENUE CIRCLE

HOJAI.

-----  
Advocate for : MRS.S Y BEGUM

Advocate for : SC

REVENUE appearing for THE STATE OF ASSAM AND 3 ORS

**BEFORE  
HONOURABLE MR. JUSTICE ANJAN MONI KALITA**

**ORDER**

**Date : 20.05.2026**

Heard Mr. A. A. Dewan, learned counsel, appearing for the petitioner.

This application for restoration of the writ petition has been filed by the petitioner which was dismissed for non-prosecution, vide an order dated 18.08.2025.

The learned counsel for the petitioner submits that the conducting counsel in the connected writ petition, Mr. SK SN Mohammad expired during the pendency of the writ petition and because of the fact that the petitioner was not informed about the death of the learned counsel, the petitioner could not pursue the case.

This Court has gone through the explanations provided in the application at paragraph nos. 4 to 11 and being satisfied with the explanation provided, the

connected writ petition, i.e., WP(C) No. 6616/2016 is hereby restored.

The petitioner is directed to provide the copies of the writ petition to the learned counsel appearing for the respondents.

**JUDGE**

**Comparing Assistant**