

GAHC010231102018



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

Case No. : RSA/30/2019

MUSST NEHARUN NESSA AND 8 ORS
W/O LATE MOHAMMAD ALI, S/O LATE MOHAMMAD ALI, VILL.
SAIREINGHI PATHAR, MOUZA KAPAHBARI, P.S. MORAJHAR, DIST.
NAGAON, ASSAM, PIN 782439

2: MD. SAMSUDDIN
W/O LATE MOHAMMAD ALI
S/O LATE MOHAMMAD ALI
VILL. SAIREINGHI PATHAR
MOUZA KAPAHBARI
P.S. MORAJHAR
DIST. NAGAON
ASSAM
PIN 782439

3: M. KAMAR UDDIN
W/O LATE MOHAMMAD ALI
S/O LATE MOHAMMAD ALI
VILL. SAIREINGHI PATHAR
MOUZA KAPAHBARI
P.S. MORAJHAR
DIST. NAGAON
ASSAM
PIN 782439

4: MD. SAMIR UDDIN
W/O LATE MOHAMMAD ALI
S/O LATE MOHAMMAD ALI
VILL. SAIREINGHI PATHAR
MOUZA KAPAHBARI
P.S. MORAJHAR
DIST. NAGAON
ASSAM
PIN 782439

5: FAKAR UDDIN
W/O LATE MOHAMMAD ALI
S/O LATE MOHAMMAD ALI
VILL. SAIREINGHI PATHAR
MOUZA KAPAHBARI
P.S. MORAJHAR
DIST. NAGAON
ASSAM
PIN 782439

6: SIRAJ UDDIN
W/O LATE MOHAMMAD ALI
S/O LATE MOHAMMAD ALI
VILL. SAIREINGHI PATHAR
MOUZA KAPAHBARI
P.S. MORAJHAR
DIST. NAGAON
ASSAM
PIN 782439

7: ASAR UDDIN
W/O LATE MOHAMMAD ALI
S/O LATE MOHAMMAD ALI
VILL. SAIREINGHI PATHAR
MOUZA KAPAHBARI
P.S. MORAJHAR
DIST. NAGAON
ASSAM
PIN 782439

8: MD. ALAL UDDIN
W/O LATE MOHAMMAD ALI
S/O LATE MOHAMMAD ALI
VILL. SAIREINGHI PATHAR
MOUZA KAPAHBARI
P.S. MORAJHAR
DIST. NAGAON
ASSAM
PIN 782439

9: MD. JOYNAB BIBI
W/O LATE MOHAMMAD ALI
S/O LATE MOHAMMAD ALI
VILL. SAIREINGHI PATHAR
MOUZA KAPAHBARI
P.S. MORAJHAR
DIST. NAGAON

ASSAM
PIN 78243

VERSUS

MD MAJIR UDDIN AND 7 ORS
R/O VILL. SAREINGHI PATHAR, MOUZA KAPAHBARI, P/S MURAJAHAR,
DIST. NAGAON (ASSAM), PIN 782439

2:MD. ALLAH UDDIN
S/O LATE FAIYAI ALI
R/O AND VILL. SAREINGHI PATHAR
MOUZA KAPAHBARI
P/S MURAJAHAR
DIST. NAGAON
ASSAM
PIN 782439

3:HAJI RIYAZ UDDIN
S/O LATE FAIYAI ALI
R/O AND VILL. SAREINGHI PATHAR
MOUZA KAPAHBARI
P/S MURAJAHAR
DIST. NAGAON
ASSAM
PIN 782439

4:MUSST. SAMSUN NESSA
S/O LATE FAIYAI ALI
R/O AND VILL. SAREINGHI PATHAR
MOUZA KAPAHBARI
P/S MURAJAHAR
DIST. NAGAON
ASSAM
PIN 782439

5:MUSST. KARFUL NESSA
S/O LATE FAIYAI ALI
R/O AND VILL. SAREINGHI PATHAR
MOUZA KAPAHBARI
P/S MURAJAHAR
DIST. NAGAON
ASSAM
PIN 782439

6:MUSST. KAMALA BIBI
S/O LATE FAIYAI ALI
R/O AND VILL. SAREINGHI PATHAR

MOUZA KAPAHBARI
P/S MURAJAHAR
DIST. NAGAON
ASSAM
PIN 782439

7:MUSST. TITHAN NESSA
S/O LATE FAIYAI ALI
R/O AND VILL. SAREINGHI PATHAR
MOUZA KAPAHBARI
P/S MURAJAHAR
DIST. NAGAON
ASSAM
PIN 782439

8:MD. MOINA MIYA
S/O LATE OMAR ALI
R/O AND VILL. SAREINGHI PATHAR
MOUZA KAPAHBARI
P/S MURAJAHAR
DIST. NAGAON
ASSAM
PIN 78243

Advocate for the Petitioner : MR. A CHOUDHURY, MR. S ISLAM, MS. A KAUSHAR

Advocate for the Respondent : MR. A C SARMA, MR G BHARADWAJ

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 27.05.2026

Mr. A. Choudhury, learned counsel for the appellant and Mr. G. Bhardwaj, learned counsel for the all respondents except respondent no.5 and 8 are present.

The learned counsel for the appellant has submitted that he had filed an application for substitution, setting aside abatement and condonation of delay on account of the death of respondent nos. 5 and 8 on 09.03.2026. However,

the same is not on record.

The learned counsel for the appellant shall ascertain whether there is any defect in the said application. In the event there is no defect in the application, the Registry shall tag the said application on record.

List again on 12.06.2026.

JUDGE

Comparing Assistant