

GAHC010251372024



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

Case No. : CRP(IO)/493/2024

MORIAM KHATUN AND 7 ORS
, AGE 36 YEARS,
D/O LATE NOOR MAHAMMAD.

2: AZIRAN NESSA

AGE 52 YEARS

D/O LATE ABU BAKKAR.

3: HANUFA KHATUN

AGE 51 YEARS

D/O LATE HABIBAR RAHMAN.

4: RABI SHEIKH

AGE 63 YEARS

S/O LATE FAJIL KHAN
RESIDENT OF
VILL- SHORIATPUR
P.O. SHOWPUR

DISTRICT- BARPETA
ASSAM.

5: BASIRAN NESSA

AGE 54 YEARS

D/O LATE NOOR MAHAMMAD.

6: SAKINA KHATUN

AGE 55 YEARS

D/O LATE HABIBAR RAHMAN.

7: HAWA KAHTUN

AGE 45 YEARS

D/O LATE HABIBAR RAHMAN

8: HAMELA KHATUN

AGE 37 YEARS.

D/O LATE HABIBAR RAHMAN.

PETITIONERS NO. 1

2

3

5

6

7 AND 8 ARE RESIDENTS OF VILL- KHUDRAKUCHI

MOUZA- TITAPANI

P.O. TITAPANI

DIST- BARPETA

ASSAM

PIN- 781319

VERSUS

LEGAL HEIR OF LATE MAYEZ UDDIN SHAHJAHAN ALI AHMED AND 33
ORS

(A).SHAHJAHAN ALI AHMED, S/O LATE MAYEZ UDDIN.

(B)SULAIMAN ALI AHMED, LATE MAYEZ UDDIN.

(C)NURJAHAN BEGUM, D/O LATE MAYEZ UDDIN.

(D)FIROZA AHMED, D/O LATE MAYEZ UDDIN

(E)HASINA KHATUN, D/O LATE MAYEZ UDDIN.

(F)RAHILA KHATUN, D/O LATE MAYEZ UDDIN.(G)MANJUWARA KHATUN,
D/O LATE MAYEZ UDDIN

2:AINUDDIN

S/O LATE ENAYETULLAH

3:ABDUL HAMID

S/O LATE ENAYETULLAH.

4:SIRAJ UDDIN

S/O LATE ENAYETULLAH.

5:ISMAIL HUSSAIN

S/O-LATE ASAN UDDIN

6:JAMAL UDDIN

S/O LATE ASAN UDDIN

7:KAMAL UDDIN

S/O LATE ASAN UDDIN

8:HAZERA KHATUN

D/O- LATE ASAN UDDIN

9:JAITUN NESSA

D/O- LATE ASAN UDDIN

10:BHANU NESSA

D/O- LATE ASAN UDDIN

ALL ARE RESIDENTS OF VILL- KHUDRAKUCHI
MOUZA- TITAPANI
P.O. TITAPANI

DIST- BARPETA

ASSAM. PIN-781319

11:DILHAZUDDIN AHMED

S/O LT. ENAYETULLAH.

12:HARUNAR RASHID

S/O LT. ENAYETULLAH

13:MST. MISIRAN NESSA

W/O LT. HABIBAR
RAHMAN

14:SIDIQUE AHMED

S/O LT. HABIBAR RAHMAN.

15:ZAKIR HUSSAIN

S/O LT. HABIBAR RAHMAN.

16:MAFIDUL ISLAM

S/O LT. HABIBAR RAHMAN

17:MST. HAZERA KHATUN

W/O LT. NOOR MOHAMMAD

18:JEHIRUL ISLAM

S/O LT. NOOR MOHAMMAD

19:SAIDUL ISLAM

S/O- LATE NOOR MOHAMMAD

20:AZIZUR RAHMAN

S/O- LATE NOOR MOHAMMAD

21:BAHARUL ISLAM

S/O LT. NOOR MOHAMMAD

22:PIAR HUSSAIN

S/O-LT. NOOR MOHAMMAD

23:JAMIRAN NESSA

S/O-LT. NOOR MOHAMMAD

24:MAHIRAN NESSA

D/O LT. ABU BAKKAR

25:MOTIUR RAHMAN

S/O LT. ABU BAKKAR

26:MOZAMMEL HOQUE

S/O LT. ABU BAKKAR

27:SAHIDUL ISLAM

S/O LT. ABU BAKKAR

28:SAFIKUL ISLAM

S/O LT. ABU BAKKAR

29:MST. SAZIA KHATUN

D/O LT. ABU BAKKAR

30:MST. FAZILA KHATUN

D/O LT. ABU BAKKAR

31:FAZAR ALI

S/O LT. ASAN UDDIN

32:MAJAR ALI

S/O LT. ASAN UDDIN

33:MST. AHIMON NESSA

D/O LT. ASAN UDDIN

34:MST. JAMELA KHATUN

W/O LT. ASAN UDDIN

NO. 11 TO 34 ARE RESIDENTS OF VILL- KHUDRAKUCHI

MOUZA- TITAPANI

P.O. TITAPANI

DIST- BARPETA

ASSAM. PIN- 781319

Advocate for the Petitioner : MR. P K ROYCHOU DHURY, MR M HUSSAIN,MR. A K AZAD,MR. S R BARBHUIYA,MR. N HAQUE

Advocate for the Respondent : MD H R AHMED (R-1A TO 1G),

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA**

ORDER

Date : --21.01.2026

Heard Mr. N. Haque, the learned counsel for the petitioners. Also heard Mr. H.R. Ahmed, the learned counsel appearing on behalf of respondent nos. 1A to 1G.

- 2.** From the Office Note dated 07.01.2026 it reveals that the service is completed on respondent nos. 5,6,7,9 & 10 and the respondent nos. 2, 3, 4 & 8 already expired and service report is still awaited for respondent nos. 11 to 34.
- 3.** In that context Mr. Haque submitted that he has not taken step through usual process for respondent nos. 11 to 34.
- 4.** Issue Notice to the respondent nos. 11 to 34 through usual process.
- 5.** Scanned copy of the TCR has not been received.
- 6.** Further considering the Office Note dated 07.01.2026, the petitioner is also hereby asked to take necessary steps for substituting the legal heirs of respondent nos. 2, 3, 4 & 8 who are reported to be expired.
- 7.** The petitioner will take necessary steps for filing the substitution petition as well as take steps on respondent nos. 11 to 34.
- 8.** List the matter accordingly after 4 (four) weeks, as on a date to be fixed by the Registry.
- 9.** Interim order be continued till next date of listing.

JUDGE

Comparing Assistant