

GAHC010293552019



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

**Case No. : RSA/56/2020**

MUSSTT. SAHIDA BEGUM  
W/O- SAFUR UDDIN, R/O- VILL.- MALATIKHAMA, NOW RESIDING AT  
GAURIPUR, GAURIPUR TOWN, P.O. AND P.S. GAURIPUR, DIST.- DHUBRI,  
PIN- 783331.

VERSUS

SRI JOYDEV AGARWALA AND 4 ORS  
S/O- LATE RAMESWAR AGARWALA, R/O- WARD NO. 15, DHUBRI TOWN,  
P.O., P.S. AND DIST.- DHUBRI, PIN- 783301.

2:ON THE DEATH OF OM PRAKESH AGARWALA  
HIS LEGAL HEIRS REPRESENTING  
S/O- LATE SITA RAM AGARWALA  
SUBSTITUTED VIDE ORDER DATED- 15-12-2008.

2.1:SMT. SOMA SUUNDARI AGARWALA (WIFE)  
R/O- WARD NO. 5  
DHUBRI TOWN  
P.S. AND DIST.- DHUBRI  
ASSAM  
PIN- 783301.

2.2:SRI MULCHAND AGARWALA (SON)  
R/O- WARD NO. 5  
DHUBRI TOWN  
P.S. AND DIST.- DHUBRI  
ASSAM  
PIN- 783301.

2.3:SRI SATYA NARAYAN AGARWALA (SON)  
R/O- WARD NO. 5

DHUBRI TOWN  
P.S. AND DIST.- DHUBRI  
ASSAM  
PIN- 783301.

3:MD. SAMSUL HOQUE  
S/O- AKTAR UDDIN  
R/O- VILL.- PUB TIAMARI PART-II  
P.O. AND P.S. GAURIPUR  
DIST.- DHUBRI  
PIN- 783331.

4:ABDUL HAKIM  
S/O- LATE MOINUDDIN SK  
VILL.- MADHUSOULMARI PART-I  
P.S. GAURIPUR  
DIST.- DHUBRI  
ASSAM  
PIN- 783331.

5:SAIYADA RAHMAN  
W/O- MOZIBAR RAHMAN  
R/O- VILL.- KHAGRABARI  
P.S. GOLAKGANJ  
DIST.- DHUBRI  
ASSAM  
PIN- 783331

**Advocate for the Petitioner** : MR. S DAS

**Advocate for the Respondent** :

**BEFORE**  
**JOINT REGISTRAR (JUDL.)- MR. ARUP JYOTI BAISHYA**

**ORDER**

**Date : 16.09.2021**

Case taken up before the Lawazima Court.

Learned counsel Mr. P. Agarwal is present on behalf of respondent Nos. 1, 2 & 3.

Learned counsel present today has submitted that they have inadvertently filed the Vakalatnama in behalf of the petitioner, instead of the respondent Nos. 1, 2(a), 2(b), 2(c) & 3. Learned counsel further submitted that they would withdraw the Vakalatnama and file a

fresh Vakalatnama on behalf of the aforesaid respondents.

From the office note dated 13.09.2021, it appears that no steps for issuance of notice to the proforma respondent Nos. 4 & 5 have been taken by the appellant inspite of the previous Lawazima Court order dated 01.03.2021 whereby the appellant was directed to take fresh steps for issuance of notice on the said respondents by registered post with A/D as well as by usual Court process through the office of the learned Munsiff No. 1, Dhubri.

The appellant is again given 10 (ten) days time to comply with the directions of the aforesaid Lawazima Court order dated 01.03.2021.

List the matter again before the Lawazima Court after the Puja Vacation.

**Joint Registrar (Judicial)**

**Comparing Assistant**