

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:STRUCK OFF
VIDE COURT ORDER DATED 27/03/2023 PASSED IN RSA NO. 56/2020

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, MR. M A SHEIKH, MRS. R T DAS, MR K DAS, MR. N BORUAH, MR H GOGOI

Advocate for the Respondent : MR. D SARAF (R- 1, 3, 2.2, 2.3), MR P AGARWAL (R- 1, 3, 2.2, 2.3), MR. S S GUPTA (R- 1, 3, 2.2, 2.3)

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 03.09.2024

Heard Mr. K. Das, learned counsel for the appellant. Also heard Ms. B. Sarma, learned counsel appearing for respondent Nos. 1, 2 and 3 who submits that her senior Mr. D. Saraf, who is the conducting counsel for the respondents has some medical urgency to attain, hence, she prays for an adjournment in this case.

Considering the submissions made by the learned counsel, the prayer is

allowed.

List this matter after two weeks on a date to be fixed by the Registry.

JUDGE

Comparing Assistant