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

Case : I.A.(Civil)/1196/2026

MD IRFAN ALI CHOUDHURY and 9 ORS
S/O LATE JAMABAUX ALI
VILL. KARICHERRA
P.O. KATLICHERRA 788165
DIST. HAILAKANDI
ASSAM

2: MD. ABUBAKKAR CHOUDHURY
S/O- LT NIAFAR ALI CHOUDHURY
VILL- KARICHERRA
P.O. KATLICHERRA

DIST- HAILAKANDI
ASSAM
PIN-788165

3: MD. RAHIM UDDIN CHOUDHURY
S/O- LT SAKAR ALI CHOUDHURY
VILL- KARICHERRA
P.O. KATLICHERRA

DIST- HAILAKANDI
ASSAM
PIN-788165

4.1: ON THE DEATH OF LATE NOSIR UDDIN LASKAR
HIS LEGAL HEIR
MUSSTT. CHAYA BEGUM LASKAR
W/O- LT NOSIR UDDIN LASKAR
VILL- KARICHERRA
P.O. KATLICHERRA

DIST- HAILAKANDI
ASSAM

PIN-788165

4.2: MD. ALTAF HUSSAIN LASKAR
S/O- LT NOSIR UDDIN LASKAR
VILL- KARICHERRA
P.O. KATLICHERRA

DIST- HAILAKANDI
ASSAM
PIN-788165

4.3: MD. SAHABUDDIN LASKAR
S/O- LT NOSIR UDDIN LASKAR
VILL- KARICHERRA
P.O. KATLICHERRA

DIST- HAILAKANDI
ASSAM
PIN-788165

4.4: MD. ABDUL HUSSAIN LASKAR
S/O- LT NOSIR UDDIN LASKAR
VILL- KARICHERRA
P.O. KATLICHERRA

DIST- HAILAKANDI
ASSAM
PIN-788165

4.5: MD. MILAN HUSSAIN LASKAR
S/O- LT NOSIR UDDIN LASKAR
VILL- KARICHERRA
P.O. KATLICHERRA

DIST- HAILAKANDI
ASSAM
PIN-788165

4.6: KAMRUL HUSSAIN LASKAR
S/O- LT NOSIR UDDIN LASKAR
VILL- KARICHERRA
P.O. KATLICHERRA

DIST- HAILAKANDI
ASSAM
PIN-788165

4.7: MUSTT. LUTFA BEGUM LASKAR

D/O- LT NOSIR UDDIN LASKAR
VILL- KARICHERRA
P.O. KATLICHERRA

DIST- HAILAKANDI
ASSAM
PIN-788165
VERSUS

ON THE DEATH OF LATE ABDUL LASKAR

HIS LEGAL HEIRS

1.1:NAJIM UDDIN LASKAR
S/O LATE ABDUL HALIM LASKAR

RESIDENT OF VILLAGE RAMPUR
PO KATLICHERRA BAZAR
DIST HAILAKANDI
ASASM 788165

1.2:NUR UDDIN LASKAR
S/O LATE ABDUL HALIM LASKAR

1.3:MD. SAHAB UDDIN LASKAR
S/O LATE ABDUL HALIM LASKAR

BOTH ARE RESIDENT OF VILLAGE SHYAMPUR
PO KATLICHERRA BAZAR
DIST HAILAKANDI
ASASM 788165

1.4:MD. JIAB UDDIN LASKAR
S/O LATE ABDUL HALIM LASKAR

RESIDENT OF VILLAGE SHYAMPUR
PO KATLICHERRA BAZAR
DIST HAILAKANDI
ASASM 788165

1.5:FATARUN NECHA LASKAR
W/O ALA UDDIN BARBHUIYA

RESIDENT OF VILLAGE AND PO APIN KATLICHERRA
788161
DIST HAILAKANDI
ASSAM

1.6:AFTARUN NECHA LASKAR
D/O LATE ABDUL HALIM LASKAR

RESIDENT OF VILLAGE SHYAMPUR
PO KATLICHERRA BAZAR
DIST HAILAKANDI
ASASM 788165

1.7:RUSNA BEGUM LASKAR
D/O LATE ABDUL HALIM LASKAR

RESIDENT OF VILLAGE SHYAMPUR
PO KATLICHERRA BAZAR
DIST HAILAKANDI
ASASM 788165

1.8:HUCHANA KHATUN LASKAR
D/O LATE ABDUL HALIM LASKAR

RESIDENT OF VILLAGE SHYAMPUR
PO KATLICHERRA BAZAR
DIST HAILAKANDI
ASASM 788165

1.9:RAHENA BEGUM LASKAR
D/O LATE ABDUL HALIM LASKAR

RESIDENT OF VILLAGE SHYAMPUR
PO KATLICHERRA BAZAR
DIST HAILAKANDI
ASASM 788165

1.10:RUHENA BEGUM LASKAR
D/O LATE ABDUL HALIM LASKAR

RESIDENT OF VILLAGE SHYAMPUR
PO KATLICHERRA BAZAR
DIST HAILAKANDI
ASASM 788165

1.11:RUMANA BEGUM LASKAR
D/O LATE ABDUL HALIM LASKAR

RESIDENT OF VILLAGE SHYAMPUR
PO KATLICHERRA BAZAR
DIST HAILAKANDI
ASASM 788165

1.12:SUHENE BEGUM LASKAR
D/O LATE ABDUL HALIM LASKAR

RESIDENT OF VILLAGE SHYAMPUR
PO KATLICHERRA BAZAR
DIST HAILAKANDI
ASASM 788165

2:SALEHA BEGUM LASKAR
D/O LATE HARUN RASHID LASKAR

RESIDENT OF VILLAGE RAMPUR
PO KATLICHERRA BAZAR
DIST HAILAKANDI
ASASM 788165

3:STATE OF ASSAM
REP. BY THE DY. COMMISSIONER
HAILAKANDI DIST.
P.O. HAILAKANDI-788151
DIST- HAILAKANDI
ASSAM

4:KATLICHERRA MARKET COMMITTEE
REP. BY ITS PRESIDENT
SRI AJIT PAUL CHOUDHURY
VILL- KATLICHERRA
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

5:AJIT PAUL CHOUDHURY
S/O- LT UPENDRA PAUL CHOUDHURY
VILL- KATLICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165

6:MD. ABDUL HAMID CHOUDHURY
S/O- LT NIFAR ALI CHOUDHURY
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

7:SRI PULIN DHAR
S/O- KUTI RAM DHAR

VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

8:SRI NANTOO PAUL
S/O- MUNINDRA PAUL ALIAS MONIPAL
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

9:SRI JYOTIRMOY PAUL
S/O- DAMINI KUMAR PAUL
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

10:SRI AMOL PAUL
S/O- ARJUN PAUL
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

11:SRI DHIRENDRA PAUL ALIAS DHIRU
S/O- MUHIM CHADNRA PAULVILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

12:KARICHERRA MASJID COMMITTEE
REP. BY ITS SECRETARY
MD. JALAL UDDIN
S/O- ABDUL SUPAN AND AKRAM KHAN
S/O- SAHID KHAN
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

13:MD. MOIN UDDIN
S/O- LT JUNAB ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

14:MD. GOLEY AHMED
S/O- TOYMUS ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

15:MD. BILAL AHMED
S/O- TOYMUS ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

16:MD. ABDUS SUPAN
S/O- LT AYUB ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

17:MD. MOROI MIA
S/O- LT AYUB ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

18:MUSTT. ASIRA BEGUM
D/O- LT AYUB ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

19:MUSTT. MISIRA BEGUM
D/O- LT AYUB ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

20:MUSTT. TOSIRA BEGUM
D/O- LT AYUB ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

21:SRI MONMOHON PAUL
S/O- LT MOHIM CHANDRA PAUL
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

22:SRI MOTILAL SEAL
S/O- LT MONI LAL SEAL
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

23:SRI SAMAL SEAL
S/O- LT MOTILAL SEAL
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

24:SRI SURESH KOIRI
S/O- LT ALAT PRASAD KOIRI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

25:SRI PARESH KOIRI
S/O- LT ALAT PRASAD KOIRI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

26:SRI KAILASH KOIRI
S/O- LT ALAT PRASAD KOIRI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

27:MD. ABDUL NOOR
S/O- AKIL ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

28:MD. ABDUL KARIM
S/O- AKIL ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

29:MD. ABDUL HASIM
S/O- AKIL ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

30:MUSTT. SARIFUL BIBI
D/O- AKIL ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

31:MD. KUTIR ALI
S/O- LT KUTUB ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

32:MUSTT ANGURA BEGUM
D/O- LT KUTUB ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

33:MD. MOSTAN ALI
S/O- LT KUTUB ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

34:MD. ISHAD ALI
S/O- LT NOOR ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

35:MD. FORMIN ALI
S/O- LT NOOR ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

36:MD. MAFAR ALI
S/O- LT NOOR ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

37:MUSTT. RAINA BEGUM
D/O- LT ARMAN ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

38:MUSTT. SAYNA BEGUM
D/O- LT ARMAN ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

39:MUSTT. MOMOTA BEGUM
D/O- LT ARMAN ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

40:MD. FAKAR UDDIN
S/O- MASARAF ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

41:MD. SUNAHAR ALI
S/O- LT ARMAN ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

42:MD. ABDUL HASIM
S/O- LT KALA MIA
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

43:MUSTT. ALKAS BIBI
D/O- LT KALA MIA
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

44:MD. SAIDUL HOQUE
S/O- HASON ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

45:MD. YAKUB ALI
S/O- HASON ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

46:MD. IRMAN ALI
S/O- ABDUL ALI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

47:SRI. KANI LAL SINGH CHETRI
S/O- LT RAJ KISHORE SINGH CHETRI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

48:SANKARLAL SINGH CHETRI
S/O LT. RAJ KISHORE SINGH CHETRI
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

49:SRI MOTILAL
S/O- BENI MADHAB
VILL- KARICHERRA
PORGONAH VERNERPUR
P.O. KATLICHERRA-788165
DIST- HAILAKANDI
ASSAM

Advocate for : MR. T U LASKAR
Advocate for : MR. A M BARBHUIYA appearing for ON THE DEATH OF LATE ABDUL LASKAR

BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

09.10.2026

Heard Mr. T. U. Laskar, learned counsel for the applicant and Mr. M. H. Rajbarbhuiyan, learned counsel for the respondent.

By this interlocutory application under Section 5 of the Limitation Act the applicant has prayed for condonation of delay of 172 days in filing the application for substitution of the legal heirs of the deceased respondent No.1 and setting aside of abatement due to death of respondent No.1, namely, Lt. Abdul Halim Laskar.

Mr. Barbhuiya, learned counsel appearing for the respondent submits that he is representing the legal heirs of the deceased respondent No. 1 and on the aspect of condonation, he does not have any objection.

The delay is stated to be 172 days. It is well settled that one of the reasons why the issue of delay has to be adjudicated especially in a civil matter is that upon expiry of the period of limitation, a right accrues to the other side and therefore, the grounds of delay vis-à-vis the rights that have accrued to the

other side have to be adjudicated. In this context, in the instant case, the learned counsel for the legal heirs of respondent No. 1 fairly submits that he does not have any objection to the condonation of the delay.

I have perused the grounds of delay adduced in the delay condonation petition.

In the interest of justice and in view of the no-objection by the learned counsel representing the respondent No. 1, the said delay of 172 days is hereby condoned.

Accordingly, the interlocutory application stands allowed and disposed of.

JUDGE

Comparing Assistant