

GAHC010052642022



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

Case No. : SAO/1/2022

MAHMODUR RAHMAN CHOUDHURY AND 5 ORS.
S/O- LATE MUBESWAR ALI CHOUDHURY,

2: MOHIBUR RAHMAN CHOUDHURY
S/O- LATE MUBESWAR ALI CHOUDHURY

3: AYATUN NESSA CHOUDHURY
W/O- LATE ATIQUR RAHMAN CHOUDHURY

4: RUMANA BEGUM CHOUDHURY
AGE ABOUT 14

5: ALFAZUR RAHMAN CHOUDHURY
AGE ABOUT 10

6: TAHER ALI CHOUDHURY
AGE ABOUT 8
(APPELLANTS NO. 4

5
6 ARE MINORS AND ARE REPRESENTED BY APPELLANT NO. 3)
ALL ARE RESIDENTS OF VILLAGE- LALA PART-1
PO- CHANDRAPUR
PS- LALA
DIST- HAILAKANDI
ASSA

VERSUS

NOOR UDDIN CHOUDHURY AND ANR.
S/O- LATE SADIQUR RAHMAN CHOUDHURY

2: JAMAL UDDIN CHOUDHURY
S/O- LATE SORAFAT ALI CHOUDHURY

BOTH ARE RESIDENTS OF VILL- LALA PART-1
PO- CHANDRAPUR
PS- LALA
DIST- HAILAKANTI
ASSA

Advocate for the Petitioner : MR M J QUADIR

Advocate for the Respondent : MS F AHMED (r-1,2)

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

30.07.2022

Heard Mr. S S Islam, the learned counsel appearing on behalf of the appellants and Mr. S K Ghosh, the learned counsel appearing on behalf of the respondents.

The instant appeal has been filed against an appellate order passed in exercise of jurisdiction under Order XLIII Rule 1 (r) read with Section 104 of the CPC.

Consequently, the instant appeal is not maintainable. However, the appellants are at liberty to file appropriate proceeding, if so advised.

Accordingly, this instant appeal stands dismissed.

JUDGE

Comparing Assistant