

GAHC010007572013



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

Case No. : RSA/122/2013

SARU KUMAR and 9 ORS.

2: SMT. KALI KUMAR
BOTH W/O LATE PADMA RAM KUMAR

3: SHIVA KUMAR

4: UMESH KUMAR

5: SADANANDA KUMAR

6: DIPAK KUMAR

APPELLANT NOS 3 TO 6 ARE THE OF LATE PADMA RAM KUMAR
APPELLANT NOS 1 TO 6 ARE THE RESIDENT OF BORIPARA MALIGAON
P.O. and P.S. JALUKBARI
DIST. KAMRUP
GHY-781012

7: SMT. KADAMI KUMAR

W/O SRI RAM KUMAR
VILL. RAJAPUKHURI
P.O. RAJAPUKHURI
DIST. KAMRUP
PIN 781132

8: SMT. KANTI KUMAR

W/O SRI NIRANJAN KUMAR
VILL. PALASHBARI
P.O. PALASHBARI
DIST. KAMRUP
PIN 781128

9: SMT. BIMALA KUMAR

W/O SRI SUSIL KUMAR
VILL. BONGRA
P.O. BONGRA
DIST. KAMRUP
PIN 781015

10: SMT. REENA KALITA

W/O SRI RAMEN KALITA
VILL.RAMPUR
P.O. RAMPUR
DIST.KAMRUP
PIN 781132 APPELLANT NOS 7 TO 9 ARE TEH DAUGHTERS OF LATE
PADMA RAM KUMAR

VERSUS

PADMA NATH SARMA and 65 ORS.
S/O LATE BHUPENDRA SARMA

2:SMT. ALAKA DEVI

W/O LATE UMESH SARMA

3:JAGAT KANTA SARMA

S/O BARADA KANTA SARMAH

4:BHAGAT CHANDRA SARMAH

S/O LATE GIRISH CHANDRA SARMAH

5:MONOJ KANTA SARMAH

S/O LATE BIRAJA KANTA SARMAH

6:BHOLA NATH SARMAH

S/O LATE INDRA NATH SARMAH.

7:RABINDRA NATH SARMAH

S/O LATE JITEND NATH SARMAH

8:BARENDRA NATH SARMAH

S/O LATE NARENDRA NATH SARMAH

9:HARISH SARMAH

S/O LATE BHUPENDRA NATH SARMAH

10:PRANA NATH SARMAH

S/O LATE PADMA NATH SARMAH

11:SAMIR PRASAD SARMAH

S/O BHABANI SARMAH

12:PRANAY SARMAH

S/O LATE BIRAJA KANTA SARMAH

13:ON THE DEATH OF JYOTIRMOY SARMAH

HIS LEGAL HEIRS

13.1:SRI MANOJ SARMAH

S/O JYOTIRMOY SARMAH

RESIDENT OF KAMAKHYA DHAM

PO KAMAKHYA

DIST KAMRUP M ASSAM 781010

13.2:SRI PRANAY SARMAH

S/O JYOTIRMOY SARMAH

RESIDENT OF KAMAKHYA DHAM

PO KAMAKHYA

DIST KAMRUP M ASSAM 781010

13.3:SRI PRASENJIT SARMAH

S/O JYOTIRMOY SARMAH

RESIDENT OF KAMAKHYA DHAM

PO KAMAKHYA

DIST KAMRUP M ASSAM 781010

13.4:SMTI JYOTIKA DEVI

W/O JYOTIRMOY SARMAH
RESIDENT OF KAMAKHYA DHAM
PO KAMAKHYA
DIST KAMRUP M ASSAM 781010

14:SMTI BINA DEVI

W/O DASARATH SARMAH.

15:SMTI HIRA DEBI

W/O LATE SUSHIL SARMAH

16:NILOTMOY SARMAH

S/O LATE SUSHIL SARMAH

17:TARINI KANTA SARMAH
S/O LATE HEM SARMAH

18:JAGADISH CH. SARMAH

S/O LATE PARESH CHANDRA SARMAH

19:SMT. NIRADA DEBI

W/O LATE PARESH CH. SARMAH

20:MEDINI KANTA SARMAH

S/O LATE BHANABI SARMAH

21:KAHITISH CH. SARMAH

S/O LATE ANATH CH. SARMAH

22:NAYAN SARMAH

S/O LATE ANATH CH. SARMAH

23:JITENDRA NATH SARMAH

S/O LATE PRAFULLA SARMAH

24:SMTI BAJULI DEVI

W/O LATE JANKI PRASAD SARMAH

25:AMAL PRASAD SARMAH

S/O JANAKI PRASAD SARMAH

26:SUKHEN SARMAH

S/O LATE SAILENDRA PRASAD SARMAH

27:SMTI ALAKA DEBI

W/O LATE NIRMAL KANTA SARMAH

28:HIREN SARMAH

W/O LATE NIRMAL KANTA SARMAH

29:ON THE DEATH OF SANKAR PRASAD SARMAH

HIS LEGAL HEIRS

29.1:SMTI SARASWATI DEVI

W/O LATE SANKAR PRASAD SARMAH
RESIDENT OF KAMAKHYA DHAM
PO KAMAKHYA
DIST KAMRUP M ASSAM 781010

29.2:SRI JUGAL PRASAD SARMAH

S/O LATE SANKAR PRASAD SARMAH
RESIDENT OF KAMAKHYA DHAM
PO KAMAKHYA
DIST KAMRUP M ASSAM 781010

29.3:SRI SUKUMAR SARMAH

S/O LATE SANKAR PRASAD SARMAH
RESIDENT OF KAMAKHYA DHAM
PO KAMAKHYA
DIST KAMRUP M ASSAM 781010

29.4:SRI TAPAS SARMAH

S/O LATE SANKAR PRASAD SARMAH
RESIDENT OF KAMAKHYA DHAM
PO KAMAKHYA
DIST KAMRUP M ASSAM 781010

29.5:SRI KABINDRA PRASAD SARMAH

S/O LATE SANKAR PRASAD SARMAH
RESIDENT OF KAMAKHYA DHAM
PO KAMAKHYA
DIST KAMRUP M ASSAM 781010

29.6:SRI BIRINDRA PRASAD SARMAH

S/O LATE SANKAR PRASAD SARMAH
RESIDENT OF KAMAKHYA DHAM
PO KAMAKHYA
DIST KAMRUP M ASSAM 781010

30:SMTI ANIMA DEBI

W/O LATE LALANA PRASAD SARMAH

31:SMTI NIRO DEBI

W/O LATE LALANA PRASAD SARMAH.

32:SAMIR KANTA SARMAH

S/O LATE BHABANI SARMAH

33:BHABESH SARMAH

S/O LATE SATISH SARMAH

34:ATAL SARMAH

S/O LATE SATISH SARMAH.

35:SMTI GOURI DEBI

W/O LATE SATISH SARMAH.

36:ON THE DEATH OF REBATI PRASAD SARMAH

HIS LEGAL HEIRS

36.1:SRI ANANGA PRASAD SARMAH

S/O LATE REBATI PRASAD SARMAH RESIDENT OF KAMAKHYA DHAM
PO KAMAKHYA
DIST KAMRUP M ASSAM 781010

36.2:SRI RAJU PRASAD SARMAH

S/O LATE REBATI PRASAD SARMAH RESIDENT OF KAMAKHYA DHAM
PO KAMAKHYA
DIST KAMRUP M ASSAM 781010

36.3:SRI RIJU PRASAD SARMAH

S/O LATE REBATI PRASAD SARMAH RESIDENT OF KAMAKHYA DHAM
PO KAMAKHYA
DIST KAMRUP M ASSAM 781010

37:RAJENDRA PRASAD SARMAH

S/O LATE UMA PRASAD SARMAH

38:BASANTA KR. SARMAH

S/O LATE PRIYA NATH SARMAH

39:SUDHIR PRASAD SARMAH

S/O LATE RADHIKA PRASAD SARMAH

40:JANAKI PRASAD SARMAH

S/O LATE RAM PRASAD SARMAH

41:JAGADISH PRASAD SARMAH

S/O LATE RAM PRASAD SARMAH

42:SMTI DIPIKA DEBI

W/O LATE PASUPATI SARMAH

43:PARAMESH SARMAH

S/O LATE DINESH SARMAH

44:PRATAK CH. SARMAH

S/O LATE HARIDAS SARMAH

45:MOHINI KANTA SARMAH

S/O BHABNI SARMAH

46:GIRIJA KANTA SARMAH

S/O LATE BARADA KANTA SARMAH

47:BORODA PRASAD SARMAH

S/O LATE SIBA PASAD SARMAH

48:MOJOJ KANTA SARMAH

S/O LATE NILAKANTA SARMAH

49:BHUPATI KANTA SARMAH

S/O LATE ABANI SARMAH

50:KHIROD PRASAD SARMAH

S/O LATE DEBENDRA PRASAD SARMAH.

51:PARIMAL PRASAD SARMAH

S/O LATE PURNENDU SARMAH

52:ASHNIN PRASAD SARMAH

S/O LATE PURNENDU SARMAH

53:UTPAL PRASAD SARMAH

S/O LATE PURNENDU SARMAH

54:SMTI BUABANI DEBI

W/O LATE PURNENDU PRASAD SARMAH

55:LAKHI PRASAD SARMAH

S/O DHIRLOCHAN SARMAH

56:JAWALA PRASAD SARMA

S/O LATE KAMAKHYA PRASAD SARMA

57:ON THE DEATH OF DILIP SARMA

HIS LEGAL HEIRS

57.1:SMTI BINA SARMA.

W/O LATE SRI DILIP SARMA RESIDENT OF KAMAKHYA DHAM
PO KAMAKHYA
DIST KAMRUP M ASSAM 781010

57.2:SRI MANOJ KUMAR SARMA

S/O LATE SRI DILIP SARMA RESIDENT OF KAMAKHYA DHAM
PO KAMAKHYA
DIST KAMRUP M ASSAM 781010

58:PRAKASH CH. SARMA

S/OLATE RAJ CHANDRA SARMA

59:SRI DHIRENDRA NATH SARMA

S/O LATE PRIYA NATH SARMA
CONSTITUENT ATTORNEY OF THE PLAINTIFFS

60:PRABHAT CHANDRA SARMA

S/O LATE NABIN SARMA

61:PHANIDHAR NATH SARMA

S/OLATE DURGA NATH SARMA

62:SACHIN KANTA SARMA

S/O LATE KAMINI KANTA SARMA

63:JITENDRA NATH SARMA

S/OLATE PRAFULLA SARMA

64:TARA PRASAD SARMA

S/O LATE AMBIKA PRASAD SARMA
CONSTITUENT ATTORNEY OF THE PLAINTIFFS.

65:PHANINDRA NATH SARMA

S/O LATE SITA NATH SARMA

66:SOUMITRA PRASAD SARMA

S/O LATE LANA PRASAD SARMA RESPONDENT NO. 1 TO 66 ARE THE

RESIDENT OF KAMAKHYA DAM
P.O.KAMAKHYA
DIST. KAMRUP M
PIN 78101

Advocate for the Petitioner : MR.P KHATANIAR, MR. R SARMAH,MR. U B SARMA,MR. R SARMAH,MS.P S TALUKDER(A-6),MR. B PEGU

Advocate for the Respondent : MR.N DAS, ,MR.P K KALITA,MR.G J SAIKIA

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 24.03.2026

As prayed for by Mr. U.B. Sarma, learned counsel appearing for the appellants, re-post on **06.05.2026**, to enable the appellants to do the needful, as during the pendency of the appeal one of the appellants had expired.

JUDGE

Comparing Assistant