

GAHC010049642021



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

**Case No. : I.A.(Civil)/674/2021**

SARU KUMAR AND 8 ORS.

W/O. LATE PADMA RAM KUMAR, R/O. BORIPARA (MALIGAON), P.O. AND  
P.S. JALUKBARI, DIST. KAMRUP(M), GHY- 12

2: SHIVA KUMAR

3: UMESH KUMAR

4: SADANANDA KUMAR

5: 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

6: SMT. KADAMI KUMAR

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

7: SMT. KANTI KUMAR

W/O SRI NIRANJAN KUMAR

VILL. PALASHBARI  
P.O. PALASHBARI  
DIST. KAMRUP  
PIN 781128

8: SMT. BIMALA KUMAR

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

9: 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:JYOTIRMOY SARMAH

S/O LATE BIRJA KANTA SARMAH

14:SMTI BINA DEVI

W/O DASARATH SARMAH.

15:SMTI HIRAN DEBI  
W/O LATE SUSHIL SARMAH

16:NILOTMOY SARMAH

S/O LATE SUSHIL SARMAH

17:TARANI 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 JANAKI 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:SANKAR PRASAD SARMAH

S/O LATE KANGULI PRASAD SARMAH

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.

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W/O LATE SATISH SARMAH.

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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

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S/O HARI PRASAD SARMA

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S/OLATE RAJ CHANDRA SARMA

59:SRI DHIRENDRA NATH SARMA

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

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S/O LATE NABIN SARMA

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S/OLATE DURGA NATH SARMA

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S/O LATE AMBIKA PRASAD SARMA  
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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

**Advocate for the Respondent** : MR. P K KALITA

Linked Case : RSA/122/2013

SARU KUMAR and 9 ORS.

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BOTH W/O LATE PADMA RAM KUMAR

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PIN 781010  
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Advocate for : MR.P KHATANIAR  
Advocate for : MR.N DAS appearing for PADMA NATH SARMA and 65 ORS.

**BEFORE**  
**HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

**ORDER**

**Date : 25-10-2021**

Heard Ms. N. Rahman, the learned counsel appearing for the applicant. Also heard

Mr. P.K. Kalita, the learned counsel appearing for the respondent.

The notices are already served upon the respondent.

LCR is received.

Registry is directed to file a report as to whether the notice upon all the respondents are served or not.

List the matter after four weeks with appropriate office note.

**JUDGE**

**Comparing Assistant**