

GAHC010086062019



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

**Case No. : I.A.(Civil)/1501/2019**

SRI BIRAJ SUTRADHAR  
S/O LATE PRABHAT CHANDRA SUTRADHAR, VILL. JYOTI UNDER  
BARPETA MOUZA, DIST. BARPETA, ASSAM.

VERSUS

ON THE DEATH OF KULAJIT DAS, HIS LEGAL HEIRS AND 5 ORS.  
BARPETA, ASSAM.

1.1:SMTI DIPANNITA DAS  
W/O LATE KULAJIT DAS  
R/O 2ND FILOR  
SHILAJA APARTMENT NARIKAL BASTI  
ZOO NARENGI ROAD  
GUWAHATI 24  
DIST. KAMRUP (M)  
ASSAM.

1.2:MISS MINARVA DAS  
D/O LATE KULAJIT DAS  
BEING MINOR REPRESENTED BY HER MOTHER SMTI DIPANNITA DAS  
R/O 2ND FILOR  
SHILAJA APARTMENT NARIKAL BASTI  
ZOO NARENGI ROAD  
GUWAHATI 24  
DIST. KAMRUP (M)  
ASSAM.

1.3:MISS HIYARVA DAS  
D/O LATE KULAJIT DAS  
BEING MINOR REPRESENTED BY HER MOTHER SMTI DIPANNITA DAS  
R/O 2ND FILOR

SHILAJA APARTMENT NARIKAL BASTI  
ZOO NARENGI ROAD  
GUWAHATI 24  
DIST. KAMRUP (M)  
ASSAM.

2:BISWAJJIT DAS  
S/O BIDUR DAS  
R/O JANIA  
BARPETA  
ASSAM  
R/O GOLAIHATI KAKOTYHATI  
DIST. BAREPTA  
ASSAM.

3:SUJIT DAS  
S/O BIDUR DAS  
R/O JANIA  
BARPETA  
ASSAM  
R/O GOLAIHATI KAKOTYHATI  
DIST. BAREPTA  
ASSAM.

4:HANSAJIT DAS  
S/O BIDUR DAS  
R/O JANIA  
BARPETA  
ASSAM  
R/O GOLAIHATI KAKOTYHATI  
DIST. BAREPTA  
ASSAM.

5:BAMDEV MAJUMDER  
S/O LATE AMBIKA CHARAN MAZUMDAR  
R/O JANIA  
BARPETA  
ASSAM  
R/O GOLAIHATI KAKOTYHATI  
DIST. BAREPTA  
ASSAM.

6:THE DEPUTY COMMISSIONER  
BARPET

**Advocate for the Petitioner** : MR. R DUBEY

**Advocate for the Respondent** : MR. N GOSWAMI (GA, ASSAM, R-6)

Linked Case : I.A.(Civil)/99/2021

BIRAJ SUTRADHAR  
S/O. LATE PRABHAT CHANDRA SUTRADHAR  
VILL. JYOTI UNDER BARPETA MOUZA  
DIST. BARPETA  
ASSAM.

VERSUS

ON THE DEATH OF KULAJIT DAS HIS LEGAL HEIRS AND 5 ORS.  
GUWAHATI

1.1:SMTI DIPANNITA DAS  
W/O LATE KULAJIT DAS  
R/O 2ND FILOR  
SHILAJA APARTMENT NARIKAL BASTI  
ZOO NARENGI ROAD  
GUWAHATI 24  
DIST. KAMRUP (M)  
ASSAM.

1.2:MISS MINARVA DAS  
D/O LATE KULAJIT DAS  
BEING MINOR REPRESENTED BY HER MOTHER SMTI DIPANNITA DAS  
R/O 2ND FILOR  
SHILAJA APARTMENT NARIKAL BASTI  
ZOO NARENGI ROAD  
GUWAHATI 24  
DIST. KAMRUP (M)  
ASSAM.

1.3:MISS HIYARVA DAS  
D/O LATE KULAJIT DAS  
BEING MINOR REPRESENTED BY HER MOTHER SMTI DIPANNITA DAS  
R/O 2ND FILOR  
SHILAJA APARTMENT NARIKAL BASTI  
ZOO NARENGI ROAD  
GUWAHATI 24  
DIST. KAMRUP (M)  
ASSAM.

2:BISWAJJIT DAS  
S/O BIDUR DAS  
R/O JANIA

BARPETA  
ASSAM  
R/O GOLAIHATI KAKOTYHATI  
DIST. BAREPTA  
ASSAM.  
3:SUJIT DAS  
S/O BIDUR DAS  
R/O JANIA  
BARPETA  
ASSAM  
R/O GOLAIHATI KAKOTYHATI  
DIST. BAREPTA  
ASSAM.  
4:HANSAJIT DAS  
S/O BIDUR DAS  
R/O JANIA  
BARPETA  
ASSAM  
R/O GOLAIHATI KAKOTYHATI  
DIST. BAREPTA  
ASSAM.  
5:ON THE DEATH OF BAMDEV MAJUMDER HIS LEGAL HEIRS  
BARPETA  
5.1:MIRA MAJUMDAR  
W/O. LATE BAMDEV MAJUMDAR  
R/O. GOLAIHATI  
KAKOTYHATI  
DIST. BARPETA  
ASSAM  
5.2:DULUMANI MAJUMDAR  
D/O. LATE BAMDEV MAJUMDAR  
R/O. GOLAIHATI  
KAKOTYHATI  
DIST. BARPETA  
ASSAM  
5.3:TULTUL MAJUMDAR  
D/O. LATE BAMDEV MAJUMDAR  
R/O. GOLAIHATI  
KAKOTYHATI  
DIST. BARPETA  
ASSAM  
5.4:SANGEETA MAJUMDAR  
D/O. LATE BAMDEV MAJUMDAR  
R/O. GOLAIHATI  
KAKOTYHATI  
DIST. BARPETA  
ASSAM  
5.5:NABJYOTI MAJUMDAR

S/O. LATE BAMDEV MAJUMDAR  
R/O. GOLAIHATI  
KAKOTYHATI  
DIST. BARPETA  
ASSAM  
6:THE DEPUTY COMMISSIONER  
BARPETA

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Advocate for : MR. R DUBEY  
Advocate for : MR S KHOUND appearing for ON THE DEATH OF KULAJIT DAS  
HIS LEGAL HEIRS AND 5 ORS.

Linked Case : WP(C)/5541/2008

SRI BIRAJ SUTRADHAR  
S/O LT. PRABHAT CHANDRA SUTRADHAR  
VILL- JYOTI UNDER BARPETA MOUZA  
DIST. BARPETA  
ASSAM.

VERSUS

ON THE DEATH OF KULAJIT DAS  
HIS LEGAL HEIRS SMT. DIPANNITA DAS AND 2 ORS. REP.  
S/O. BIDUR DAS  
R/O. JANIA  
BARPETA  
ASSAM.

1:(a) SMTI. DIPANNITA DAS  
W/O. LATE KULAJIT DAS  
R/O. 2ND FLOOR  
SHAILAJA APARTMENT  
NARIKAL BASTI  
ZOO-NARENGI ROAD  
GUWAHATI-781024  
DIST. KAMRUP (METRO)  
ASSAM.

1:(c) MISS HIYARVA DAS  
D/O. LATE KULAJIT DAS  
BEING MINOR REPRESENTED BY HER MOTHER SMT. DIPANNITA DAS  
R/O. 2ND FLOOR  
SHAILAJA APARTMENT  
NARIKAL BASTI  
ZOO-NARENGI ROAD

GUWAHATI-781024  
DIST. KAMRUP (METRO)  
ASSAM.

1:(b) MISS MINARVA DAS  
D/O. LATE KULAJIT DAS  
BEING MINOR REPRESENTED BY HER MOTHER SMT. DIPANNITA DAS  
R/O. 2ND FLOOR  
SHAILAJA APARTMENT  
NARIKAL BASTI  
ZOO-NARENGI ROAD  
GUWAHATI-781024  
DIST. KAMRUP (METRO)  
ASSAM.  
2:SRI BISWAJIT DAS

3:SRI SUJIT DAS

4:SRI HANSAJIT DAS  
SL. NO.S 1 TO 4 ARE ALL ARE SONS OF BIDUR DAS R/O JANIA  
BARPETA  
ASSAM.  
5:SRI BAMDEV MAJUMDER

S/O LT. AMBIKA CHARAN MAZUMDAR  
R/O GOLAIHATI KAKOTYHATI  
DIST. BARPETA  
ASSAM.

6:DEPUTY COMMISSIONER  
BARPETA

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Advocate for : MS.R R SARMA

Advocate for : FOR CAVEATOR appearing for ON THE DEATH OF KULAJIT DAS  
HIS LEGAL HEIRS SMT. DIPANNITA DAS AND 2 ORS. REP.

**BEFORE**  
**HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

**ORDER**

**Date : 30.03.2021**

Mr. R. Dubey, learned counsel for the petitioners has submitted that the writ petitioner has expired in the month of January, 2021 and there is need to substitute him with his legal

heir(s). For the said reason, Mr. Dubey has prayed for 2 (two) weeks' time to file appropriate application for substitution.

The prayer is made with the consent of Mr. S. Khound, learned counsel appearing for respondent nos. 1(a) – 1(c), 2, 3 and 4.

The prayer is allowed.

List the case after 2 (two) weeks.

**JUDGE**

**Comparing Assistant**