

GAHC010194292017



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

Case No. : RSA/90/2017

SRI DIPAK DUTTA
S/O LATE LAKHIRAM DUTTA, R/O GANESH PARA, A.K. DEV ROAD, NEAR
BATHO MANDIR, GUWAHATI 781025

VERSUS

SMTI MALATI BALA GOGOI and 2 ORS
W/O LATE PADMA KUMAR GOGOI

2:BAKUL KUMAR GOGOI

3:PRADIP KUMAR GOGOI

NO.2 and 3 ARE THE SONS OF LATE PADMA KR. GOGOI ALL ARE R/O
MACHKHOWA
A.T. ROAD
P.O. and P.S. BHARALUMUKH
DIST. KAMRUP M
ASSAM

Advocate for the Petitioner : MR.Z MUKIT, MR.A SATTAR,MR.H K BARUAH

Advocate for the Respondent : MR.R ALIR- 1-3, MR. A N I HUSSAIN(R-1,3),MR. R DUBEY(R-1,3),MS. A B KAYASTHA (R-1,3),MR.R J BORDOLOI(R- 1-3),MR.A BURAGOHAIN(R- 1-3)

Linked Case : I.A.(Civil)/3019/2017

SMTI BINA DUTTA

VERSUS

SMTI MALATI BALA GOGOI and 2 ORS

Advocate for : MR.Z MUKIT

Advocate for : MR.R ALI appearing for SMTI MALATI BALA GOGOI and 2 ORS

Linked Case : RSA/91/2017

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W/O SRI DIPAK DUTTA
R/O GANESH PARA
A.K. DEV ROAD
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ASSAM.

Advocate for the appellant(s): Mr. Z Mukit

Advocate for the respondent(s): Mr. R Dubey

B E F O R E
HON'BLE MR. JUSTICE DEVASHIS BARUAH

ORDER

10.03.2025

Mr. R Dubey, the learned counsel appearing on behalf of the respondent Nos.1 submits that in terms with the provisions of Order XXII Rule 10A of the Code of Civil Procedure, 1908 (for short, the Code), he would like to inform the Court that the respondent No.2 had expired on 25.10.2022.

2. Mr. Z Mukit, the learned counsel appearing on behalf of the appellants submits that he had no knowledge about the demise of the respondent No.2.

3. Taking into account the above, this Court observes that with effect from today i.e. 10.03.2025, it would be deemed that the appellants had the knowledge that respondent No.2 had expired on 25.10.2022.

4. Mr. Z Mukit, the learned counsel appearing on behalf of the appellants submits that the appellants would like to take appropriate steps in that regard. The appellants are at liberty to do so.

JUDGE

Comparing Assistant