

GAHC010017802025



2026:GAU-AS:2207

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

Case No. : I.A.(Civil)/1114/2025

KHUKAN BHOWMIK AND 2 ORS.
S/O LATE SHANKAR BHOWMIK
VILL- GERJAIPAM
P.S.- KACHUA
DIST- NAGAON
PIN-788116

2: ARATI MANDAL
W/O LATE MANINDRA BHOWMIK
VILL- GERJAIPAM
P.S.- KACHUA
DIST- NAGAON
PIN-788116

3: SMTI MAYA RANI BHOWMIK
W/O LATE SHANKAR BHOWMIK
VILL- GERJAIPAM
P.S.- KACHUA
DIST- NAGAON
PIN-788116
VERSUS

KESHAB DHAR AND ANR
S/O LATE BHAGAWAN DHAR
VILL- GERJAIPAM
P.S.- KACHUA
DIST- NAGAON
PIN-788116

2:CHARAN DHAR
S/O LATE BHAGAWAN DHAR
VILL- GERJAIPAM
P.S.- KACHUA

DIST- NAGAON
PIN-788116

Advocate for : MR G SARMA
Advocate for : appearing for KESHAB DHAR AND ANR

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

Date : 16.02.2026

Heard Mr. G. Sarma, learned counsel for the applicants. Also heard Ms. S. Roy, learned counsel for the opposite parties.

2. This application, under Order 22 Rule 3 of the CPC, read with Section 151 of the CPC, is preferred by the applicants for substitution of the legal representatives of the deceased appellant No. 2, namely, Munindra Bhowmik, in RSA No. 4/2010, as he suffered demise on 21.03.2019.

3. Mr. Sarma, learned counsel for the applicants submits that the appellant No. 2, namely, Munindra Bhowmik in RSA No. 4/2010, suffered demise on 21.03.2019, leaving behind his wife, namely, Smti. Arati Mandal and two minors sons, namely, Sri Shivsankar Bhowmik and Sri Biki Bhaumik, who have to be represented by their mother, and as such, they are required to be substituted in place of deceased Munindra Bhowmik.

4. Ms. Roy, learned counsel for the opposite parties submits that she has no objection in the event of allowing this application.

5. Considering the submissions of learned counsel for both the parties, this Court is inclined to allow this application.

6. Accordingly, Smti. Arati Mandal, Sri Shivsankar Bhowmik and Sri Biki

Bhaumik be substituted in place of deceased appellant No. 2, namely, Munindra Bhowmik, in RSA No. 4/2010. Since Sri Shivsankar Bhowmik and Sri Biki Bhaumik are minors, they will be represented by their mother Smti. Arati Mandal.

7. In terms of above, this I.A. stands disposed of.
8. Mr. Sarma, learned counsel for the applicants shall file amended cause title of RSA No. 4/2010, within a week from today.
9. Registry shall list the RSA No. 4/2010 on 24.02.2026.

JUDGE

Comparing Assistant