

GAHC010023082026



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

Case No. : RSA/17/2026

SMTI LILY DEKA AND 3 ORS.
WIFE OF LATE ADHAN DEKA, RESIDENT OF ALUPATTY, G. F. ROAD,
GOLAGHAT TOWN, P.O, P.S AND DISTRICT-GOLAGHAT, ASSAM, PIN-
785621.

2: SMTI MOMI DEKA
DAUGHTER OF LATE ADHAN DEKA
WIFE OF SRI SURESH CHANDRA KALITA
RESIDENT OF 1ST FLOOR
WHITE APARTMENT
RANGBHUMI
GOTANAGAR GUWAHATI
DISTRICT-KAMRUP (M)
ASSAM
PIN-781011.

3: SMTI SEWALI DEKA DUTTA
DAUGHTER OF LATE ADHAN DEKA
WIFE OF PALLAB DUTTA
RESIDING AT DR COLLEGE ROAD
WARD NO.9
NEAR NCC OFFICE
GOLAGHAT
DISTRICT- GOLAGHAT
ASSAM
PIN- 785621.

4: SANJAY DEKA
SON OF LATE ADHAN DEKA
RESIDENT OF HOUSE NO.41
ALUPATTY
G. F. ROAD
GOLAGHAT TOWN
P.O

P.S AND DISTRICT- GOLAGHAT
ASSAM
PIN- 785621

VERSUS

BIJOY DEKA AND 2 ORS.
SON OF LATE BENU DEKA, RESIDENT OF ALUPATTY, G. F. ROAD,
GOLAGHAT TOWN, P.O, P.S AND DISTRICT-GOLAGHAT, ASSAM, PIN-
785621

2:LEGAL HEIRS OF LATE HARINATH DEKA
NAMELY

2.1:SMTI SHASHI DEKA
WIFE OF LATE HARINATH DEKA
RESIDENT OF ALUPATTY
G. F. ROAD
GOLAGHAT TOWN
P.O
P.S AND DISTRICT-GOLAGHAT
ASSAM
PIN-785621.

2.2:SMTI MONISHA DEKA
DAUGHTER OF HARINATH DEKA
RESIDENT OF ALUPATTY
G. F. ROAD
GOLAGHAT TOWN
P.O
P.S AND DISTRICT-GOLAGHAT
ASSAM
PIN-785621.

2.3:SMTI MUNMI DEKA
DAUGHTER OF HARINATH DEKA
RESIDENT OF MONG MAO
THE ETHNIC KITCHEN
NEAR NETRAJYOTI EYE HOSPITAL
ABOVE SHARMA HOMEOPATHY
K.P.M.
CHARIALI
SIVASAGAR
ASSAM
PIN- 785640

2.4:UDIT NARAYAN DEKA
SON OF LATE HARINATH DEKA

RESIDENT OF ALUPATTY
G. F. ROAD
GOLAGHAT TOWN
P.O
P.S AND DISTRICT-GOLAGHAT
ASSAM
PIN- 785621

3:GOLAGHAT MUNICIPAL BOARD
SITUATED AT GOLAGHAT
P.O AND P.S-GOLAGHAT
DISTRICT-GOLAGHAT
ASSAM
REPRESENTED BY ITS CHAIRMAN

Advocate for the Petitioner : MR. D CHOUDHURY, MR. R K SARMA,MS. A KHARBANI,MR T CHAKRABORTY

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE SANJEEV KUMAR SHARMA

ORDER

Date : 25.02.2026

Heard Mr. S. Deka, learned counsel for the appellants.

Perused the memo of appeal, the appeal is admitted on the following substantial question of law:-

1. Whether the findings of both the Courts below suffer from perversity in view of the non consideration of the Ext.2 series consisting of rent receipts in respect of the suit property?

Issue notice to the respondents.

Steps be taken by speed post with A/D within a period of 3(days).

Additional substantial questions of law may be framed at the time of hearing, if it so arises.

List this matter after 4 (four) weeks.

JUDGE

Comparing Assistant