

GAHC010031332022



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

Case No. : I.A.(Civil)/1096/2022

FULMALA SARKAR AND ORS.
W/O LATE MADAI SARKAR, VILLAGE-BHARALIMARI, PO BHARALIMARI,
MOUZA BOKANI, DIST. MORIGAON, ASSAM, PIN-782121

2: SANTOSH SARKAR
S/O LATE MADAI SARKAR
VILLAGE-MOHMARA
PO SONAPUR
DIST. KAMRUP(M)
PIN-782402

3: PARITOSH SARKAR
S/O LATE MADAI SARKAR
VILLAGE-BHARALIMARI
PO BHARALIMARI
MOUZA BOKANI
DIST. MORIGAON
ASSAM
PIN-782121

4: ASUTOSH SARKAR
S/O LATE MADAI SARKAR
VILLAGE-DEOKHAI
KLANGPAR
DIST. KAMRUP(M)
ASSAM
PIN-782402

5: BHAJAN SARKAR
S/O LATE MADAI SARKAR
12TH MILE
JORABAT
DIST. KAMRUP (M)
PIN-781026

6: MAMANI BISWAS
D/O LATE MADAI SARKAR
W/O SRI ARADHAN BISWAS
VILLAGE NO.1 BANAGALGURI
JAGIROAD
DIST. MORIGAON
PIN-782410

7: SADHAN SARKAR
S/O LATE MADAI SARKAR
VILL MOHMARA
PO SONAPUR
DIST. KAMRUP(M)
PIN-782402

8: KAMONI ADHIKARI
D/O LATE MADAI SARKAR
W/O SANJAY ADHIKARI
VILLAGE HARINSARA
DIST. BAKSA, PIN 78136

VERSUS

ON THE DEATH OF MADAN BISWAS, HIS LEGAL HEIRS REPRESENTING
AND ORS.

S/O LATE MADAN BISWAS, VILLAGE BARUNGURI, MOUZA- BOKANI,
DIST. MORIGAON, ASSAM, PIN-782121

2:ASHANANDA BISWAS
S/O LATE MADAN BISWAS
VILLAGE BARUNGURI
MOUZA- BOKANI
DIST. MORIGAON
ASSAM, PIN-782121

3:PARAMANANDA BISWAS
S/O LATE MADAN BISWAS
VILLAGE BARUNGURI
MOUZA- BOKANI
DIST. MORIGAON
ASSAM, PIN-782121

4:BIMALA BISWAS
S/O LATE MADAN BISWAS
VILLAGE BARUNGURI
MOUZA- BOKANI
DIST. MORIGAON
ASSAM, PIN-782121

5:MAMONI BISWAS
W/O ABHIRAM BISWAS
VILLAGE NO. 1 BURAGAON
MOUZA BOKANI
DIST. MORIGAON
ASSAM
PIN-782121

6:PHULMALA BISWAS
W/O SRI JIBAN BISWAS
VILLAGE- LACHARIBORI
MOUZA PAKARIA
DIST. MORIGAON
ASSAM
PIN-782121

7:MANINDRA SARKAR
S/O DEBANDRA SARKAR
VILLAGE BARUNGURI
MOUZA BOKANI
DIST. MORIGAON
ASSAM
PIN-782121

8:SACHINDRA SARKAR
S/O DEBANDRA SARKAR
VILLAGE BARUNGURI
MOUZA BOKANI
DIST. MORIGAON
ASSAM
PIN-78212

Advocate for the Petitioner : MR. J DEKA

Advocate for the Respondent :

Linked Case : 536 OF 2020

SRI TARA MOHAN BISWAS AND 2 ORS

VERSUS

ON THE DEATH OF MADAN BISWAS
HIS LEGAL HEIS SRI UMANANDA BISWAS AND 7 ORS

Advocate for :

Advocate for : appearing for ON THE DEATH OF MADAN BISWAS
HIS LEGAL HEIRS SRI UMANANDA BISWAS AND 7 ORS

BEFORE
HONOURABLE MR. JUSTICE HITESH KUMAR SARMA

ORDER

18-04-2022

Mr. J. Deka, learned counsel represents the applicant.

Mr. J. Ahmed, learned counsel represents the respondent.

The application under Order XXII, Rule 3 of the CPC is made seeking substitution of the legal heirs of the applicant No.3 in the connected I.A. (Civil) No. 536/2020.

I have perused the application.

It has been averred in the petition that during pendency of the aforesaid interlocutory application, the appellant No. 3 died leaving behind the legal heirs from 3(a) to 3(h) as mentioned in the paragraph No. 2 in the application.

The petition for substitution was made within time.

That being so, the aforesaid legal heirs of the deceased appellant No. 3 is substituted in his place.

Registry shall take appropriate steps for inserting the names of the substituted appellant in the Cause Title.

The interlocutory application stands disposed of accordingly.

The connected I.A. (Civil) No. 536/2020 will be taken up for hearing in the second week of June, 2022.

JUDGE

Comparing Assistant