

GAHC010042912026



2026:GAU-AS:7594

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

Case No. : I.A.(Civil)/1676/2026

SMTI JAYANTI DAS
WIFE OF LATE CHANDRA NATH DAS

2: SRI GANESH CHANDRA DAS
SONS OF LATE CHANDRA NATH DAS

3: SRI RATUL DAS
SONS OF LATE CHANDRA NATH DAS

4: SRI NITUL CH DAS

SONS OF LATE CHANDRA NATH DAS

5: SMTI ANJANA HALOI
ARE DAUGHTERS OF LATE CHANDRA NATH DAS

6: SMTI KALPANA DAS
DAUGHTERS OF LATE CHANDRA NATH DAS

7: SMTI RANJANA DAS
DAUGHTERS OF LATE CHANDRA NATH DAS

8: SMTI ARPANA DAS

ALL 5 TO 8 ARE DAUGHTERS OF LATE CHANDRA NATH DAS
AND ALL 1 TO 8 ARE RESIDENTS OF TOKOBARI
DAKHIN PART SATRA
GUWAHATI-781001
UNDER PANBAZAR POLICE STATION
IN THE DISTRICT OF KAMRUP METRO
ASSAM

VERSUS

ON THE DEATH OF SRI DHIRAJ DEKA, HIS LEGAL HEIRS
RESIDENTS OF KANIKA APARTMENT, SANKAR NAGAR, NOONMATI LAST
GATE, P.S. NOONMATI, GUWAHATI, ASSAM, PIN 781020

2:1(A)(I) SMT KARABI DAS
WIFE OF LATE DHIRAJ DEKA
AGED ABOUT 39 YEARS RESIDENTS OF KANIKA APARTMENT
SANKAR NAGAR
NOONMATI LAST GATE
P.S. NOONMATI
GUWAHATI
ASSAM
PIN 781020.

3:1(A)(II) SMT UTKARKHAA D KASHYAP
DAUGHTER OF LATE DHIRAJ DEKA
AGED ABOUT 9 YEARS RESIDENTS OF KANIKA APARTMENT
SANKAR NAGAR
NOONMATI LAST GATE
P.S. NOONMATI
GUWAHATI
ASSAM
PIN 781020.

4:1(B) SMT LUNA DEKA
DAUGHTER OF LATE GHANSHYAM DEKA
RESIDENTS OF KANIKA APARTMENT
SANKAR NAGAR
NOONMATI LAST GATE
P.S. NOONMATI
GUWAHATI
ASSAM
PIN 781020.

5:SMTI GITAJALI BORA
WIFE OF SRI J.P. BORA
RESIDENT OF NOONMATI
GUWAHATI-20
UNDER NOONMATI POLICE STATION
IN THE DISTRICT OF KAMRUP M
ASSAM
PRESENTLY RESIDING AT C/O HARESWAR DAS
BASISTHAPUR
BYELANE NO.1
WIRELESS
GUWAHATI-28
P.S. P.O. DISPUR
DIST. KAMRU

Advocate for the Petitioner : N CHAUDHURY, MR A BHATRA,MR A DEKA,MR. B D DEKA,MR. M DAS

Advocate for the Respondent : MR R BARUAH,

Linked Case : RSA/204/2014

JAYANTI DAS and 7 ORS.
W/O LATE CHANDRA NATH DAS

2: GANESH CHANDRA DAS

3: RATUL KR. DAS

4: NITUL CH. DAS
ALL SONS OF LATE CHANDRA NATH DAS

5: SMTI ANJANA HALOI

6: SMTI KALPANA DAS

7: SMTI RANJANA DAS

8: SMTI ARPANA DAS

ALL DAUGHTERS OF LATE CHANDRA NATH DAS
ALL RESIDENTS OF TOKOBARI
DAKHIN PART SATRA
GUWAHATI 781001
UNDER PANBAZAR POLICE STATION
IN THE DIST. OF KAMRUP M
ASSAM.
VERSUS

ON THE DEATH OF SRI GHANSHYAM DEKA HIS LEGAL HEIRS -
NAMELY-

1.1:SRI DHIRAJ DEKA
S/O. LATE GHANSHYAM DEKA
R/O. NOONMATI
LAST GATE
P.S. NOONMATI
GUWAHATI
ASSAM
PIN-781020.

1.2:SMT.LUNA DEKA
D/O.LATE GHANSHYAM DEKA
R/O.NOONMATI
LAST GATE
P.S. NOONMATI
GUWAHATI
ASSAM
PIN-781020.

2:SMTI GITANJALI BORA

W/O SRI J.P. BORA
R/O NOONMATI
GUWAHATI 20
UNDER NOONMATI POLICE STATION
IN THE DIST. OF KAMRUP M
ASSAM.

Advocate for : MRM HALOI
Advocate for : MR.M ALAMR appearing for ON THE DEATH OF SRI
GHANSHYAM DEKA HIS LEGAL HEIRS -

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 01.06.2026

Heard Mr. N. Das, learned counsel for the applicants and Ms. M. Nath, learned counsel appearing for the respondents.

2. It is projected in this application that the respondent no.1 (a) had died on 05.12.2025 and this application for substitution was filed on

27.02.2026 for substitution of the legal representatives of deceased respondent no.1(a), which has been filed under Order XXII Rule 4 read with Section 151 CPC.

3. It is seen although the application was filed 27.02.2026, as there was a defect that all the applicant had not signed the vakalatnama and the said defect was cured only on 20.05.2026 and matter has been listed.

4. As the application was filed on 27.02.2026 and the defect is not regarding the application but in supporting vakalatnama, the Court is of the considered opinion that the application was filed under the 90 days time as allowed under Article 120 of the Schedule to the Limitation Act.

5. Accordingly, the prayer for substitution of the deceased respondent no.1 (a) is allowed.

6. The application stands disposed of.

JUDGE

Comparing Assistant