

GAHC010223602024



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

Case No. : I.A.(Civil)/3391/2024

MAHENDRA CHAKRAVARTY AND ANR
S/O LATE BHUNATH CHAKRABARTY, R/O VILL AND P.O.-BUDRUKUCHI,
MOUZA-BAHJANI, PIN-781348, DIST- NALBARI, ASSAM

2: SMTI. SABITA DEVI
D/O LATE BHUNATH CHAKRAVARTY
R/O VILL AND P.O.-BUDRUKUCHI
MOUZA-BAHJANI
PIN-781348
DIST- NALBARI
ASSA

VERSUS

PARAMESWAR DEKA AND 2 ORS
S/O LATE GUDA RAM DEKA, VILL AND P.O.-BUDRUKUCHI, MOUZA-
BAHJANI, PIN-781348, DIST- NALBARI, ASSAM

2:EMILY CHAKRABARTY
W/O SRI JITEN CHAKRAVARTY
AT PRESENT RESIDING IN THE HOUSE OF LATE CHIDA SARMA
SANKAR MADHAB ROAD
DURGASAROBAR
GUWAHATI-2009
DISTRICT KAMRUP(METRO)
ASSAM

3:ON THE DEATH OF JITEN CHAKRAVARTHY
HIS LEGAL HEIRS

3.1:SRI DIPAK CHAKRAVARTY

S/O LATE JITEN CHAKRAVARTY
RESIDING IN THE HOUSE OF LATE CHIDA SARMA

SANKAR MADHAB ROAD
DURGASAROBAR
GUWAHATI-2009
DISTRICT KAMRUP(METRO)
ASSAM

3.2:SRI DOLEY CHAKRAVARTY
D/O LATE JITEN CHAKRAVARTY
RESIDING IN THE HOUSE OF LATE CHIDA SARMA
SANKAR MADHAB ROAD
DURGASAROBAR
GUWAHATI-2009
DISTRICT KAMRUP(METRO)
ASSA

Advocate for the Petitioner : MR. P MEDHI, MR. P MEDHI

Advocate for the Respondent : ,

In Case : RSA/128/2021

MAHENDRA CHAKRAVARTY AND ANR
S/O LATE BHUNATH CHAKRABARTY
R/O VILL AND P.O.-BUDRUKUCHI
MOUZA-BAHJANI
PIN-781348
DIST- NALBARI
ASSAM

2: SMTI. SABITA DEVI
D/O LATE BHUNATH CHAKRAVARTY
R/O VILL AND P.O.-BUDRUKUCHI
MOUZA-BAHJANI
PIN-781348
DIST- NALBARI
ASSAM
VERSUS

PARAMESWAR DEKA AND 2 ORS
S/O LATE GUDA RAM DEKA
VILL AND P.O.-BUDRUKUCHI
MOUZA-BAHJANI
PIN-781348

DIST- NALBARI
ASSAM

2:EMILY CHAKRABARTY
W/O SRI JITEN CHAKRAVARTY
OFF. ADD.- SUBHAS KHANNA ENDOSCOPICAL RESEARCH CENTRE
(NURSING HOME)
SANTIPUR
P.S.-BHARULUMUKH
GUWAHATI-781009
DIST- KAMRUP(M)
ASSAM

3:JITEN CHAKRAVARTHY
S/O LATE BHUNATH CHAKRAVARTY
PERMANENT ADD.- VILL- BUDRUKUCHI
MOUZA- BAHJANI
PIN-781348
DIST- NALBARI
ASSAM
CORRESPONDING ADD.- C/O EMILY CHAKRAVARTY
SUBHAS KHANNA ENDOSCOPICAL RESEARCH CENTRE (NURSING HOME)
SANTIPUR
P.S.-BHARALUMUKH
GUWAHATI-781009
DIST- KAMRUP(M)
ASSAM

Advocate for : MR. A C SARMA
Advocate for : appearing for PARAMESWAR DEKA AND 2 ORS

WITH
RSA Case No. 128/2021
WITH
I.A.(Civil) Case No. 2093/2021
IN
RSA Case No. 128/2021

BEFORE

HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

07.04.2025

- 1.** Heard Mr. D. Das, the learned counsel for the applicants.
- 2.** This application under Order XXII Rule 4(1) has been filed by the applicants for substitution of the legal heirs of the respondent No. 3 in RSA No. 128/2021.
- 3.** The learned counsel for the applicants has submitted that the instant application has been filed within the period of limitation.
- 4.** Hence, the same is allowed.
- 5.** The Registry is directed to substitute the names of (i) Smti Emily Chakravarty, (ii) Sri Dipak Chakravarty and (iii) Sri Doley Chakravarty, as respondent No.3 (i), 3(ii) and 3(iii) in the memo of appeal of RSA No. 128/2021.
- 6.** As the wife of the deceased respondent No. 2, namely, Smti Emily Chakravarty is already arrayed as respondent No.2, in RSA No. 128/2021, her name need not to be mentioned again, as the legal heirs of the deceased respondent No. 3.
- 7.** This interlocutory application is accordingly disposed of.

JUDGE

Comparing Assistant