

GAHC010100722026



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

**Case No. : I.A.(Civil)/1790/2026**  
**In Cont. Cas(C)/263/2022**

ON THE DEATH OF GAURI KALITA, HIS LEGAL HEIR SMT PRATIMA  
KALITA  
WO GAURI KALITA, RO HOUSE NO 15, HENGRABARI ROAD, PO ASSAM  
SACHIVALAYA, DIST KAMRUP M, ASSAM, PIN 781006

2: SRI PRANJIT KALITA  
SO GAURI KALITA  
RO HOUSE NO 15  
HENGRABARI ROAD  
PO ASSAM SACHIVALAYA  
DIST KAMRUP M  
ASSAM  
PIN 78100

VERSUS

BISWADEEP DAS  
COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM, PUBLIC  
HEALTH ENGINEERING DEPTT, DISPUR, GHY 06

2:DIPTENDU TALUKDAR  
CHIEF ENGINEER  
PUBLIC HEALTH ENGINEERING DEPTT  
WATER  
HENGRABARI  
GUWAHATI 781036

3:DIGANTA BARUAH  
SUPERINTENDING ENGINEER  
PHE DEPTT  
GUWAHATI CIRCLE  
GUWAHATI  
ASSAM

PIN 781021

4:JAYANTA MAZUMDAR  
EXECUTIVE ENGINEER  
PHE DEPTT  
GUWAHATI DIVISION 1  
GUWAHATI 781021  
ASSAM

5:DIGANTA BARUAH  
ADDITIONAL CHIEF ENGINEER  
PHE DEPARTMENT  
LOWER ASSAM ZONE  
HENGRABARI  
GUWAHATI 781036

6:DIBYAJOTY DUARAH  
CHIEF ENGINEER  
PUBLIC HEALTH ENGINEERING DEPARTMENT  
WATER  
HENGRABARI  
GUWAHATI 78103

**Advocate for the Petitioner** : B. NATH,

**Advocate for the Respondent** : SC, P H E,

Linked Case : **I.A.(Civil)/1789/2026**  
**In Cont.Cas(C)/263/2022**

ON THE DEATH OF GAURI KALITA HIS LEGAL HEIR SMT PRATIMA KALITA  
WO GAURI KALITA  
RO HOUSE NO 15  
HENGRABARI ROAD  
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DIST KAMRUP M  
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PUBLIC HEALTH ENGINEERING DEPARTMENT  
WATER  
HENGRABARI  
GUWAHATI 781036

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Advocate for : B. NATH  
Advocate for : SC  
P H E appearing for BISWADEEP DAS

**BEFORE  
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

**ORDER**

**15.06.2026**

Heard Shri N. J. Khataniar, learned counsel for the applicant, who by means of this application has prayed for condonation of delay of 77 days in filing the connected application for substitution of the petitioner.

The learned counsel has submitted that the connected case is a contempt petition which was instituted by the sole petitioner for non-compliance of an order of this Court. He has submitted that the sole petitioner has passed away in the meantime requiring substitution and in the said process, there is a delay of 77 days. The 2<sup>nd</sup> application is for setting aside abatement.

Shri R. R. Gogoi, learned counsel appearing for the respondents has not raised serious objections to the aspect of condonation of delay and for setting aside abatement. He has also informed that steps are being taken for payment of the amount in compliance of the order of this Court.

In view of the aforesaid facts and circumstances and after hearing of the parties, both the application for condonation of delay and setting aside the abatement are allowed.

Both the IAs are accordingly disposed of.

**JUDGE**

**Comparing Assistant**