

GAHC010102982026



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

Case No. :

I.A.(Civil)/1807/2025

SMTI KAMALA DAS ALIAS KAMALA PRABHA DAS
W/O- LATE BHOLANATH DAS
RESIDENT OF VILLAGE- BARCHAPARI
MOUZAHAJO
DISTRICT- KAMRUP
ASSAM. (EARLIER RESIDED AT MALIGAON
EAST GOTANAGAR
MOUZA- JALUKBARI
DISTRICT- KAMRUP(M)
ASSAM

VERSUS

ON THE DEATH OF MAINA KALITA

HER LEGAL HEIRS

1.1:ON THE DEATH OF SRI ARUP KALITA
HIS LEGAL HEIRS.

1.1.1:MUNMI BARUAH KALITA

W/O LATE ARUP KALITA

RESIDENT OF VILLAGE AGCHIYA
PS PALASHBARI
DIST KAMRUP R ASSAM

1.1.2:NILAN KALITA
S/O LATE ARUP KALITA

RESIDENT OF VILLAGE AGCHIYA

PS PALASHBARI
DIST KAMRUP R ASSAM
TO BE REP. BY MUNMI BARUAH KALITA

1.2:SRI SIMANTA KALITA
S/O MAINA KALITA
R/O VILL AGCHIYA
PO AGCHIYA
VIA PALASHBARI
DISTRICT KAMRUP
PIN 781128

1.3:SMTI JURI KALITA DAS
D/O MAINA KALITA
R/O SADAGARH PARA(JAMARTAL)
PO MIRZA
PS PALASHBARI
DISTRICT KAMRUP
PIN 781128

1.4:SRI JOGESH CHANDRA KALITA
H/O MAINA KALITA
R/O SADAGARH PARA(JAMARTAL)
PO MIRZA
PS PALASHBARI
DISTRICT KAMRUP
PIN 781128

2:SMTI JAMUNA KALITA

W/O SHRI GIRISH KALITA OF VILL. MIRZA JAMARHAT
P.S. PALASHBARI
DIST. KAMRUP R
ASSAM.

3:ON THE DEATH OF CHARU KALITA
HER LEGAL HEIRS-
NAMELY-

3.1:SRI RATUL KALITA
S/O LATE CHARU KALITA
R/O VILLAGE DHARAPUR (KOCHPARA)
P.S. AZARA
DISTRICT KAMRUP
ASSAM

3.2:SRI MANOJ KALITA

S/O LATE CHARU KALITA
R/O VILLAGE DHARAPUR (KOCHPARA)
P.S. AZARA
DISTRICT KAMRUP
ASSAM

3.3:SMTI JUNU KALITA
D/O LATE CHARU KALITA
R/O VILLAGE DHARAPUR (KOCHPARA)
P.S. AZARA
DISTRICT KAMRUP
ASSAM

4:SMTI MINU KALITA

W/O SHRI DWIPEN DAS OF VILL. JALUKBARI LONKESWAR
P.S. JALUKBARI
DIST. KAMRUP M
ASSAM.

Advocate for : MR M HUSSAIN
Advocate for : MS P SARMA appearing for ON THE DEATH OF MAINA KALITA

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 03.06.2026

Heard Mr. N. Hoque, learned counsel for the applicant and Ms. P. Sarma, learned counsel appearing for the respondent.

This is an application filed under Order XXII Rule 4 of the Code of Civil Procedure for substitution of the legal representatives/heirs of deceased Respondent No. 1.1.

It is submitted that Respondent No. 1.1 has died and that in view of the order passed today allowing the application under Order XXII Rule 9 CPC and setting aside the abatement of the appeal, the legal representatives of the

deceased Respondent No. 1.1 are required to be brought on record.

Heard the learned counsel for the applicant as well as the learned counsel for the respondent.

By an order passed today in the connected application under Order XXII Rule 9 CPC setting aside the abatement of the appeal and condoning the delay, this Court finds sufficient ground to allow the present application.

Accordingly, the legal representatives of deceased respondent No. 1.1 are allowed to be substituted in place of the deceased respondent No. 1.1 in the appeal.

Let necessary amendment of the cause title in RSA 301/2014 be carried out accordingly.

The application stands disposed of.

JUDGE

Comparing Assistant