

GAHC010118352019



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

**Case No. : RSA 211/2019**

1: SRI BANSHI RABIDAS AND 4 ORS  
S/O- LATE NATHURAM RABIDAS @ NATHANI RABIDAS.

2: SRI HANSHI RABIDAS  
S/O- LATE NATHURAM RABIDAS @ NATHANI RABIDAS.

3: SRI DILIP RABIDAS @ BOUWA  
S/O- LATE NATHURAM RABIDAS @ NATHANI RABIDAS.

4: SMT. CHANDRA RABIDAS  
W/O- LATE RAJBALI RABIDAS

5: SRI GHUTU RABIDAS  
S/O- LATE SANIRAM RABIDAS  
ALL ARE RESIDENTS OF VILLAGE NO. 2  
BHETAGAON  
P.O. AND P.S. BIJNI  
DIST.- CHIRANG  
ASSAM  
PIN- 783391

VERSUS

1: SRI AJIT SARKAR AND 5 ORS  
S/O- LATE ABHAY CHANDRA SARKAR.

2: SRI ANIL SARKAR  
S/O- LATE ABHAY CHANDRA SARKAR.

3: SRI UTTAM RABIDAS  
S/O- LATE RAJBALI RABIDAS

4: SRI GAUTOM RABI DAS  
S/O- LATE RAJBALI RABIDAS

5:SRI NITAI RABIDAS  
S/O- LATE RAJBALI RABIDAS

6:SMTI. PINKI RABIDAS (MINOR)  
D/O- LATE RAJBALI RABIDAS  
REP. BY HER MOTHER SMTI. CHANDRA RABIDAS  
ALL ARE RESIDENTS OF VILLAGE NO. 2  
BHETAGAON  
P.O. AND P.S. BIJNI  
DIST.- CHIRANG  
ASSAM  
PIN- 783391

**Advocate for the Petitioner** : MR. A C SARMA

**Advocate for the Respondent** :

**BEFORE**  
**THE HON'BLE MR JUSTICE PRASANTA KUMAR DEKA**  
**ORDER**

**05.10.2020**

Heard Mr. G Bharadwaj, learned counsel for the appellants.

As per process server's report notices were duly served on respondent Nos. 1,2,3,5 and 6. The same could not be served on the respondent No. 4 as he expired. Mr. Bharadwaj prayed for striking out the name of the respondent No. 4 as he was the proforma defendant in the suit and he never contested.

Be that as it may, the name of the respondent No. 4 is directed to be struck out, however, at the risk of the appellants. Registry to do the needful by striking out the name of the respondent No. 4 in the cause title of the second appeal. After striking out the name of the respondent No. 4, this second appeal is ready as regards both service and LCRs.

List for hearing after six weeks on a date to be fixed by the Registry.

**JUDGE**

**Comparing Assistant**