

GAHC010169202024



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

**Case No. : I.A.(Civil)/2969/2024**

ON THE DEATH OF BANGSHI RABI DAS, HIS HEIRS AND LEGAL  
REPRESENTATIVES  
NAMELY

1.1: RAJU RABIDAS  
S/O LATE BANGSHI RABI DAS  
R/O VILL NO. 2  
BHETAGAON  
P.O. AND P.S.-BIJNI  
DIST-CHIRANG  
ASSAM  
PIN-783391

1.2: RAJESH RABIDAS  
S/O LATE BANGSHI RABI DAS  
R/O VILL NO. 2  
BHETAGAON  
P.O. AND P.S.-BIJNI  
DIST-CHIRANG  
ASSAM  
PIN-783391

1.3: RAMESH RABI DAS  
S/O LATE BANGSHI RABI DAS  
R/O VILL NO. 2  
BHETAGAON  
P.O. AND P.S.-BIJNI  
DIST-CHIRANG  
ASSAM  
PIN-783391

1.4: KARTIC RABI DAS  
S/O LATE BANGSHI RABI DAS  
R/O VILL NO. 2

BHETAGAON  
P.O. AND P.S.-BIJNI  
DIST-CHIRANG  
ASSAM  
PIN-78339

VERSUS

AJIT SARKAR AND 5 ORS.  
S/O LATE ABHAY CHANDRA SARKAR, R/O VILL- NO. 2 BHETAGAON, P.O.  
AND P.S.-BIJNI, DIST- CHIRANG, ASSAM, PIN-783391

2:ANIL SARKAR  
S/O LATE ABHAY CHANDRA SARKAR  
R/O VILL- NO. 2 BHETAGAON  
P.O. AND P.S.-BIJNI  
DIST- CHIRANG  
ASSAM  
PIN-783391

3:UTTAM RABIDAS  
S/O LATE RAJBALI RABIDAS  
R/O VILL- NO. 2 BHETAGAON  
P.O. AND P.S.-BIJNI  
DIST- CHIRANG  
ASSAM  
PIN-783391

4:GAUTOM RABI DAS  
S/O LATE RAJBALI RABIDAS  
R/O VILL- NO. 2 BHETAGAON  
P.O. AND P.S.-BIJNI  
DIST- CHIRANG  
ASSAM  
PIN-783391

5:NITAI RABIDAS  
S/O LATE RAJBALI RABIDAS  
R/O VILL- NO. 2 BHETAGAON  
P.O. AND P.S.-BIJNI  
DIST- CHIRANG  
ASSAM  
PIN-783391

6:SMTI. PINKI RABIDAS  
D/O LATE RAJBALI RABIDAS  
R/O VILL- NO. 2 BHETAGAON  
P.O. AND P.S.-BIJNI

DIST- CHIRANG  
ASSAM  
PIN-783391 (BEING MINOR REPRESENTED BY HER MOTHER SMTI.  
CHANDRA RABIDAS

**Advocate for the Petitioner** : MR. A C SARMA, MR B DEORI,MR G BHARADWAJ

**Advocate for the Respondent** : ,

Linked Case : RSA/211/2019

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

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:STRUCK OFF.

VIDE HON'BLE COURT'S ORDER DTD. 5/10/2020 PASSED IN RSA NO.211/2019.

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.

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Advocate for : MR. A C SARMA  
Advocate for : appearing for SRI AJIT SARKAR AND 5 ORS

**BEFORE  
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

**ORDER**

**Date : 04.11.2024**

Heard Mr. N. Brahma, learned counsel for the applicants.

The Office note dated 22.10.2024, indicates that notice issued to the respondent Nos. 1 to 3, 5 and 6 not returned till date.

The learned counsel for the applicants submits that the name of respondent Nos. 3,4,5 & 6 may be struck off from the array of this application as they have not contested the case before the learned trial court as well as the first appellate court.

In view of the submission of the learned counsel for the applicants this Court is inclined to struck off the name of respondent Nos. 3,4,5 & 6 at the cost and risk of the learned counsel for the applicants.

List the matter 2(two) weeks.

Awaiting service report upon respondent Nos. 1 & 2.

**JUDGE**

**Comparing Assistant**