

GAHC010240862015



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

Case No. : RSA/301/2014

ON THE DEATH OF SMTI KAMALA DAS @ KAMAL PRABHA DAS
HER LEGAL HEIRS
NAMELY-

1.1: MALABIKA PATHAK
D/O- LATE BHOLANATH DAS
RESIDENT OF HOUSE NO. 17
ASHRAM ROAD
SOUTH SARANIA
BYE LAN -4
ULUBARI
GUWAHATI-7

1.2: SUSHIL KUMAR DAS
S/O LATE BHOLANATH DAS
RESIDENT OF HOUSE NO. 385
TETELIA
NAMGHAR PATH
GUWAHATI-781033

1.3: ARUNIMA SAIKIA
D/O LATE BHOLANATH DAS
R/O FLAT NO. A4
2N FLOOR
SONY APARTMENT
BARTHAKUR MILL ROAD
ULUBARI
GUWAHATI 7
VERSUS

ON THE DEATH OF SMTI MAINA KALITA HER LEGAL HEIRS AND ORS
NAMELY

1.1: SRI ARUP KALITA
S/O MAINA KALITA

R/O VILL AGCHIYA
PO AGCHIYA
VIA PALASHBARI
DISTRICT KAMRUP
PIN 781128

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.

5:STRUCK OFF
VIDE HON'BLE COURT'S ORDER DATED 7/4/2016 PASSED IN I.A. NO.
1507/2015

6:STRUCK OFF
VIDE HON'BLE COURT'S ORDER DATED 7/4/2016 PASSED IN I.A. NO.
1507/2015

Advocate for : MR.M HUSSAIN
Advocate for : appearing for ON THE DEATH OF SMTI MAINA KALITA HER
LEGAL HEIRS AND ORS

Linked Case : I.A.(Civil)/3653/2019

MINU KALITA @ MINU DAS
W/O SHRI DWIPEN DAS
R/O VILL. LANKESWAR
MOUZA AND P.S. JALUKBARI
GUWAHATI 781014
DIST. KAMRUP (M)
ASSAM.

VERSUS

KAMALA DAS @ KAMALA PRABHA DAS

W/O LATE BHOLANATH DAS
R/O VILL. BARCHAPARI
MOUZA HAZO
DIST. KAMRUP (R)
ASSAM
PIN 781102 (EARLIER RESIDED AT MALIGAON
EAST GOTANAGAR
MOUZA JALUKBARI
DIST. KAMRUP (M)
ASSAM.

Advocate for : MR. P K DAS
Advocate for : DR. B AHMED appearing for KAMALA DAS @ KAMALA PRABHA
DAS

Linked Case : 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

Linked Case : I.A.(Civil)/439/2025

JOGESH CH KALITA
S/O LATE SANJAY KALITA
R/O VILLAGE AGCHIYA
P.O. AGCHIYA
PIN 781128. DISTRICT KAMRUP METRO
ASSAM

VERSUS

KAMALA DAS ALIAS KAMALA PRABHA DAS
W/O LATE BHOLANATH DAS
R/O VILL. BARCHAPARI
MOUZA HAJO

DIST. KAMRUP R
ASSAM EARLIER RESIDED AT MALIGAON
EAST GOTANAGAR
MOUZA-JALUKBARI
DIST. KAMRUPM
ASSAM.

Advocate for : PRANJIT SARMA
Advocate for : DR. B AHMED appearing for KAMALA DAS ALIAS KAMALA
PRABHA DAS

Linked Case : I.A.(Civil)/1808/2025

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 REPRESENTATIVES

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

Linked Case : I.A.(Civil)/1805/2025

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

Linked Case : MC/1126/2015

PRABIN CHANDRA DAS
S/O LATE MAHENDRA DAS
R/O JALUKBARI
UNIVERSITY QUARTER
MOUZA and P.S. JALUKBARI
GUWAHATI 781014
DIST. KAMRUP M
ASSAM.

VERSUS

SMTI MAINA KALITA and 5 ORS

W/O SHRI JUGESWAR KALITA

2:SMTI JAMUNA KALITA

W/O SRI GIRISH KALITA

3:SMTI CHARU KALITA
W/O SHRI HAREN KALITA

4:SMTI MINU KALITA
W/O SHRI DWIPEN DAS NO. 1 IS THE R/O VILL. AGCHIYA
P.S. PALASHBARI
NO. 2 IS THE R/O VILL. MIRZA JAMARTAL P.S.PALASHBARI NO.3 IS THE
R/O VILL. DHARAPUR KOCHPARA
P.S AZARA
NO. 4 IS THE R/O VILL. WEST JALUKBARI LANKESWARI
P.S. JALUKBARI AND DIST. KAMRUP
ASSAM.

5:SMTI GIRIBALA KALITA

W/O LATE LAKSHIRAM KALITA

6:BHUPEN KALITA

S/O LAKHIRAM KALITA
BOTH ARE R/O WEST JALUKBARI
MOUZA and P.S. JALUKBARI
DIST KAMRUP
ASSAM.

Advocate for : MR.R SARMA
Advocate for : appearing for SMTI MAINA KALITA and 5 ORS

**BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

ORDER

Date : 07.05.2026

Heard Mr. N. Haque, learned counsel appearing for the appellant. Also heard Mr. B. K. Sarma, learned counsel for the respondents.

It is submitted by Mr. Haque, learned counsel for the appellant that the deceased appellant is required to be substituted and accordingly he seeks a short accommodation.

The prayer is allowed.

Repost the matter on 03.06.2026 along with RSA/81/2015.

JUDGE

Comparing Assistant