

GAHC010009142020



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

Case No. : I.A.(Civil) 205/2020

1:SMTI KAMALA DAS @ KAMALA PRABHA DAS
R/O VILL. BARCHAPARI, MOUZA HAJO, DIST. KAMRUP, ASSAM (EARLIER
RESIDED AT MALIGAON, EAST GOTANAGAR, MOUZA JALUKBARI, DIST.
KAMRUP (M), ASSAM.

VERSUS

1:ON THE DEATH OF MAINA KALITA HER LEGAL HEIR, JOGESH CH
KALITA and 5 ORS
S/O LATE SANJAY RAM KALITA, R/O VILL. AGCHIYA, P.O. AGCHIA, P.S.
PALASHBARI, DIST. KAMRUP, ASSAM, PIN 781128

2:JAMUNA KALITA
W/O SRI GIRISH KALITA
R/O VILL. MIRZA (JAMARHAT)
P.S. PALASHBARI
DIST. KAMRUP (R)
ASSAM.

3:LEGAL HEIRS OF CHARU KALITA
RAHUL KALITA
S/O LATE CHARU KALITA
R/O VILL. DHARAMPUR (KOCHPARA)
P.S. AZARA
DIST. KAMRUP (R)
ASSAM.

4:MONOJ KALITA
S/O LATE CHARU KALITA
R/O VILL. DHARAMPUR (KOCHPARA)
P.S. AZARA
DIST. KAMRUP (R)
ASSAM.

5:JUNU KALITA
D/O LATE CHARU KALITA
R/O VILL. DHARAMPUR (KOCHPARA)
P.S. AZARA
DIST. KAMRUP(R)
ASSAM.

6:MINU KALITA
W/O SRI DWIPEN DAS
R/O VILL. JALUKBARI (LANKESWAR)
P.S. JALUKBARI
DIST. KAMRUP (M)
ASSAM

Advocate for the Petitioner : DR. B AHMED

Advocate for the Respondent : MR. P K DAS

Linked Case : RSA 301/2014

1:SMTI KAMALA DAS @ KAMAL 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.

VERSUS

1:SMTI MAINA KALITA and 6 ORS
W/O SHRI JUGESWAR KALITA
R/O VILL. AGCHIYA
P.S. PALASBARI
DIST. KAMRUP R
ASSAM.

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-
3I SRI RAHUL KALITASON II SRI MANOJ KALITA SON III SMTI JUNU
KALITAD OF VILL. DHARAPUR KOCHPARA P.S. AZARA
DIST. KAMRUP R
ASSAM

4:SMTI MINU KALITA
W/O SHRI DWIPEN DAS OF VILL. JALUKBARI LONKESWAR
P.S. JALUKBARI
DIST. KAMRUP M
ASSAM.

5:SMTI GIRIBALA KALITA
W/O LATE LAKSHMIRAM KALITA
R/O WEST JALUKBARI
MOUZA and P.S. JALUKBARI
DIST.KAMRUP M
ASSAM.

6:SHRI BHUPEN KALITA
S/O LATE LAKSHIRAM KALITA
R/O WEST JALUKBARI
MOUZA and P.S. JALUKBARI
DIST. KAMRUP M
ASSAM.

Advocate for the Petitioner : MR.M HUSSAIN
Advocate for the Respondent :

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 05.03.2020

Heard Mr. M. Hussain, learned counsel for the applicant.

This is an application under section 5 of the Limitation Act, by which the applicant prays for condoning the delay of 105 days beyond the period of limitation in filing the

connected application for setting aside abetment and for substitution of the legal representatives of the respondent No.1 in the connected RSA 301/2014.

Issue notice on the proposed opposite party No.1(d), whose name appears in page-3 of the cause title.

Notice is made returnable on 08.04.2020.

The applicant shall take steps for service of notice on the said opposite party by registered post with A/D within 2 (two) days.

List accordingly.

JUDGE

Comparing Assistant