

GAHC010134622021



2026:GAU-AS:6304

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

**Case No. : I.A.(Civil)/2057/2021**

KUSHA HAZARIKA  
S/O LT. NENAI BONIA  
R/O PAKHIMORI GAON  
MOUZA KHONGIA  
DIST. JORHAT  
ASSAM

VERSUS

ON THE DEATH OF KIRAN HAZARIKA @ CHANDRA HAZRIKA HIS LEGAL  
HEIRS SMTI. DIPALI HAZARIKA AND 4 ORS.  
W/O- LT. KIRAN HAZARIKA @CHANDRA HAZARIKA

1:1.1 SRI GAURAV HAZARIKA  
S/O- LT. KIRAN HAZARIKA @CHANDRA HAZARIKA

1:1.2 SAURAV HAZARIKA  
S/O- LT. KIRAN HAZARIKA @CHANDRA HAZARIKA  
ALL ARE R/O -  
R/O PAKHIMORA KHONGIA MOUZA  
P.O. GATANGA  
DIST. JORHAT  
ASSAM

2: ON THE DEATH OF SRI DANDIRAM KAIBATRA DAS  
HIS LEGAL HEIRS SMT. SARU DAS  
W/O- LT. DANDIRAM KAIBATRA DAS

2.1: SRI NIRMAL DAS  
S/O-LT. DANDIRAM KAIBATRA DAS

2.2:SRI SON DAS  
S/O-LT. DANDIRAM KAIBATRA DAS.

2.3:SRI ANIL DAS  
S/O-LT. DANDIRAM KAIBATRA DAS  
ALL ARE R/O PANICHAKUA GAON KHARANGI MOUZA  
P.O. PANICHAKUA DIST. JORHAT  
ASSAM

3:SMTI SORUMAI KAIBATRA DAS

4:SMTI PARUL BORA KAIBATRA DAS  
NO. 2 SON AND NO. 3 and 4 ARE DAUGHTER OF LATE MAGAN KAIBATRA  
DAS  
R/O PANICHAKUA GAON  
KHARANGI MOUZA  
P.O. PANICHAKUA  
DIST. JORHAT  
ASSAM

5:GUNANATH HAZARIKA

S/O LATE NENAI BONIA  
R/O PAKHIMORA GAON  
KHANGIA MOUZA  
P.O. GOTONGA  
DIST. JORHAT  
ASSAM

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Advocate for : MR.T J MAHANTA  
Advocate for : P. P. BARUA appearing for ON THE DEATH OF KIRAN HAZARIKA  
@ CHANDRA HAZRIKA HIS LEGAL HEIRS SMTI. DIPALI HAZARIKA AND 4  
ORS.

**BEFORE**  
**HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

**ORDER**

**07.05.2026**

Heard Ms. P Bhattacharya, learned counsel for the applicant. Also heard  
Mr. R Sharma, learned counsel appearing for the respondent No. 1.

The present interlocutory application has been filed under Order XXII Rule 4 of the Code of Civil Procedure, 1908, seeking substitution of the legal heirs of the deceased respondent No. 1 in connection with RSA No. 147/2015.

It appears from the materials on record that during the pendency of the connected RSA No. 147/2015, the respondent No. 1, i.e., Kiran Hazarika @ Chandra Hazarika expired, leaving behind the following legal heirs:

1. Smt. Dipali Hazarika – Wife
2. Sri Gaurav Hazarika – Son
3. Sri Saurav Hazarika – Son

Since the aforesaid persons are stated to be the legal representatives of the deceased respondent No. 1 and their presence is necessary for the just and proper adjudication of the appeal, this Court finds sufficient grounds to allow the prayer for substitution.

Accordingly, the application stands allowed.

The following persons shall be substituted in place of the deceased respondent No. 1, Kiran Hazarika @ Chandra Hazarika:

1. Smt. Dipali Hazarika – Wife
2. Sri Gaurav Hazarika – Son
3. Sri Saurav Hazarika – Son

The applicant shall file an amended cause title before the Registry within the prescribed time for carrying out the necessary corrections.

With the above directions, the interlocutory application stands disposed of.

**JUDGE**

**Comparing Assistant**