

GAHC010217622024



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

Case No. :

Case : I.A.(Civil)/2979/2024

ON THE DEATH OF BHANU DEY
HIS LEGAL HEIRS
NAMELY

1.1: MS. SANDHYA DEY
W/O LATE BHANU DEY
R/O J.P.R. RAILWAY COLONY
P.O. AND P.S.-JORHAT-785001

1.2: BISHNU DEY
S/O LATE BHANU DEY
R/O J.P.R. RAILWAY COLONY
P.O. AND P.S.-JORHAT-785001

1.3: MS. MONI DEY
W/O SRI KHOKAN DEY
R/O MARIANI KENNEDY PARK
MARIANI
JORHAT
VERSUS

ARABINDA ROY (SINCE DECEASED)
S/O LT. AMULYA BHUSAN ROY
R/O J.P.R. RAILWAY COLONY
P.O. AND P.S.-JORHAT-785001

Advocate for : DR. R SARMAH
Advocate for : appearing for ARABINDA ROY (SINCE DECEASED)

I.A.(Civil)/3541/2024

ON THD DEATH OF BHANU DEY HIS LEGA HEIRS SANDHYA DEY AND ORS
W/O LATE BHANU DEY, R/O J.P.R. RAILWAY COLONY, P.S. and DIST.
JORHAT, PIN 785001

2: SRI BISHNU DEY

S/O LATE BHANU DEY
R/O J.P.R. RAILWAY COLONY
P.S. and DIST. JORHAT
PIN 785001

3: MS MONI DEY

W/O SRI KHOKAN DEY
R/O MARIANI KENNEDY PARK
MARIANI
JORHA

VERSUS

ARABINDA ROY
S/O LATE AMULYA BHUSAN ROY, R/O J.P.R. RAILWAY COLONY, P.S. and
DIST. JORHAT., PIN 785001

Advocate for the Petitioner : DR. R SARMAH,

Advocate for the Respondent : ,

In

RSA Case No. 291927/2017

WITH

RSA Case No. 291927/2017(filing number)

BEFORE

HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

07.04.2025

- 1.** Heard Dr. R. Sarmah, the learned counsel for the applicants.
- 2.** This application under Order XXII Rule 3 of the Code of Civil Procedure, 1908 has been filed by the applicants for substituting the legal heirs of the sole applicant in I.A. (Civil) No. 3456/2017.
- 3.** The delay of 117 days in preferring the instant petition has already been condoned, by order dated, 07.04.2025 passed in I.A.(Civil) No. 3456/2017.
- 4.** Considering the averments made in this application, as well as considering the submissions made by the learned counsel for the applicants, the names of 1. Ms. Sandhya Dey (wife), 2. Sri Bishnu Dey(son) and 3. Ms. Moni Dey (married daughter) are allowed to be substituted as the legal heirs of the deceased/applicant in I.A. (Civil) No. 3456/2017.
- 5.** The Registry is directed to make the necessary substitution in I.A. (Civil) No. 3456/2017 and list the same for Orders after Bihu Vacation.
- 6.** This interlocutory application is, accordingly disposed of.

JUDGE

Comparing Assistant