

GAHC010014792020



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

Case No. : I.A.(Civil) 237/2020
In CRP No. 94 of 2018

1:ON THE DEATH OF PURNIMA HAZARIKA, HER LEGAL HEIR,
DHURBAJYOTI HAZARIKA
S/O LATE AMAL HAZARIKA, R/O HOUSE NO. 54, ANIL NAGAR, RAJGARH
LINK ROAD, P.O. ULUBARI, GUWAHATI, DIST. KAMRUP (M)

VERSUS

1:SANGEETA BASUDEV AND ANR.
W/O LATE BHARAT BHUSAN BASUDEV, R/O WARD NO. 7, LUMDING
TOWN, MOUZA LUMDING, DIST. HOJAI, ASSAM

2:NIKITA BASUDEV
D/O LATE BHARAT BHUSAN BASUDEV
R/O WARD NO. 7
LUMDING TOWN
MOUZA LUMDING
DIST. HOJAI
ASSAM

Advocate for the Petitioner : MR. T J MAHANTA

Advocate for the Respondent : MR. A C SARMA

CRP No. 93/2018

1:TRILOCHAN SINGH ANAND @ TARLOCHAN SINGH @ BALLI
S/O- LT MAHENDRA SINGH
R/O- GURU NANAK COMPLEX
KALIBARI ROAD, LUMDING TOWN
MOUZA- LUMDING, DIST- HOJAI, ASSAM.

VERSUS

1:SMTI. SANGEETA BASUDEV AND ANR.
W/O- LT BHARAT BHUSAN BASUDEV
R/O- WARD NO. 7, LUMDING TOWN
MOUZA- LUMDING, DIST- HOJAI
ASSAM, PIN- 782447

2:SMTI. NIKITA BASUDEV
D/O- LT BHARAT BHUSAN BASUDEV
R/O- WARD NO. 7, LUMDING TOWN, MOUZA- LUMDING
DIST- HOJAI, ASSAM, PIN- 782447

Advocate for the Petitioner : MR. T J MAHANTA
Advocate for the Respondent : MR. A C SARMA (R1 & R2)

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

04-03-2020

Heard Ms. P. Bhattacharya, learned counsel for the applicant. Also heard Shri G. Gangawat, learned counsel for the respondents.

The present application has been filed under Order 22 Rule 3 of the Code of Civil Procedure, 1908 for substituting the petitioner by his legal heirs.

The learned counsel, Ms. Bhattacharya submits that right to sue survives and the application for substitution has been filed within time.

Shri Bharadwaz, learned counsel for the opposite parties fairly submits that he would not have objection to such substitution.

Accordingly, the instant interlocutory application is allowed and the applicant/petitioner No. 1 is substituted by Sri Dhrubajyoti Hazarika, details of whom is stated in paragraph 3 of the application.

Office to make necessary correction in the cause title.

JUDGE

Comparing Assistant