

GAHC010173832018



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

Case No. : MACApp./836/2018

RISHABH SETHIA
S/O SRI MAHABIR SETHIA
WARD NO 7, DHEKIAJULI MAIN ROAD, PO AND MOUZA SONITPUR,
ASSAM 784110

VERSUS

SMTI MINATI SARMA AND 3 ORS
W/O SRI DIJENDRA NATH SARMA
RESIDENT OF VILL AGDALA (BANIASUBA) PS BAIHATA CHARAILI, DIST
KAMRUP ASSAM.

2:MISS CHANDANA SARMA
D/O PRANJIT DEKA
RESIDENT OF VILL AGDALA (BANIASUBA) PS BAIHATA CHARAILI
DIST KAMRUP ASSAM.

3:NEW INDIA ASSURANCE COMPANY LTD.
ABC
GUWAHATI POLICY NO 53070431130100005577
PIN 781005

4:SRI CHHOTAN MANDAL
WARD NO 9
DHEKIAJULI MAIN ROAD

PO AND MOUZA DHEKIAJULI DIST SONITPUR
ASSAM 784110
DRIVE

Advocate for the Petitioner : MR. S SAHU,

Advocate for the Respondent : MR. R GOSWAMI (r-3), MS. M SAIKIA (R-3),MS. P BORTHAKUR (r-3)

Linked Case : I.A.(Civil)/3320/2018

RISHABH SETHIA
S/O SRI MAHABIR SETHIA WARD NO 7
DHEKIAJULI MAIN ROAD
PO AND MOUZA SONITPUR
ASSAM 784110

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W/O SRI DIJENDRA NATH SARMA RESIDENT OF VILL AGDALA
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ASSAM 784110
DRIVER

Advocate for : MR. S SAHU
Advocate for : appearing for SMTI MINATI SARMA AND 3 ORS

**BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG**

ORDER

Date : 28-04-2025

Heard Ms. S. Sahi, learned counsel for the appellant.

The Office note dated 03.04.2025, reflect that the respondent no. 4 has expired some 8 years ago, and the notice upon the respondent no. 2 could not be served as the addressee could not be traced out.

In view of the above, the learned counsel for the appellant prays for allowing her to take fresh steps upon the respondent nos. 2, and also to file substitution petition by the legal heir of the respondent no. 4, since deceased.

The respondent no. 3 is being represented by filing vakalatnama, however, the learned counsel is not present today.

In view of the above, the appellant is allowed to take fresh steps upon the respondent nos. 2 by a registered post with AD as well as by usual process within 3 (three) weeks from today.

List these matters after 4 (four) weeks.

JUDGE

Comparing Assistant