

GAHC010184132010



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

Case No. : RSA/79/2010

SWAPAN KUMAR ACHARJEE and ANR.
W/O LATE KALIPADA ACHARJEE.

2: SMTI BINU ACHARJEE

W/O SRI SWAPAN KUMAR ACHARJEE
BOTH RESIDENT OF SITARAM PUKURPAR
P.O.
P.S. and DIST. DIBRUGARH
ASSAM

VERSUS

DINANATH MAHATO and ORS.
S/O BHAGAWAT PRASAD MAHATO, R/O MONCOTTA ROAD, NEAR
OVERBRIDGE, P.O., P.S. and DIST. DIBRUGARH, ASSAM.

2:BRAJAMOHAN MAHATO

S/O LATE KRISHNA MAHATO.

3:PARAMA MAHATO

S/O LATE BHAGAWAT PRASAD
MAHATO
R/O MONCOTTA ROAD
NEAR OVERBRIDGE
P.O.
P.S. and DIST. DIBRUGARH
ASSAM

For the Petitioner(s) : Mr. S. P. Choudhury, Advocate

For the Respondent(s) : None appears.

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 04.03.2024

1. Mr. S. P. Choudhury, the learned counsel appearing on behalf of the Appellants submitted that though the Appellant No.1 had expired, the estate of the Appellant No.1 is duly being represented by the Appellant No.2.
2. Taking into account the above, this Court therefore is of the opinion that the instant appeal can proceed without substitution of the Appellant No.1.
3. Accordingly, list the matter for hearing in its usual course.

JUDGE

Comparing Assistant