

GAHC010195322025



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

**Case No. : I.A.(Civil)/2994/2025**

ON THE DEATH OF SARBESHWAR KALITA HIS LEGAL HEIRS MANDIRA  
KALITA  
W/O LATE SARBESHWAR KALITA,  
RESIDENT OF VILLAGE KARIA, PO KARIA, PS AND DIST NALBARI, ASSAM

VERSUS

THE STATE OF ASSAM  
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF  
ASSAM, HAVING HIS OFFICE AT ASSAM SECRETARIAT, DISPUR,  
GUWAHATI, DISTRICT KAMRUP (METRO), PIN CODE-781006, ASSAM

2:THE COMMISSIONER AND SECRETARY  
GOVERNMENT OF ASSAM  
INDUSTRIES COMMERCE AND PUBLIC ENTERPRISE DEPARTMENT  
HAVING HIS OFFICE AT ASSAM SECRETARIAT  
DISPUR  
GUWAHATI  
DISTRICT KAMRUP (METRO)  
ASSAM. PIN CODE-781006.

3:THE SECRETARY  
GOVERNMENT OF ASSAM  
INDUSTRIES COMMERCE AND PUBLIC ENTERPRISE DEPARTMENT  
HAVING HIS OFFICE AT ASSAM SECRETARIAT  
DISPUR  
GUWAHATI  
DISTRICT KAMRUP (METRO)  
ASSAM. PIN CODE-781006.

4:THE JOINT SECRETARY

GOVERNMENT OF ASSAM  
INDUSTRIES COMMERCE AND PUBLIC ENTERPRISE DEPARTMENT  
HAVING HIS OFFICE AT ASSAM SECRETARIAT  
DISPUR  
GUWAHATI  
DISTRICT KAMRUP (METRO)  
ASSAM. PIN CODE-781006.

5:THE ASSAM GOVERNMENT CONSTRUCTION CORPORATION

REPRESENTED BY THE MANAGING DIRECTOR  
AND HAVING ITS OFFICE AT INDUSTRIES COMMERCE AND PUBLIC  
ENTERPRISE DEPARTMENT  
AT ASSAM  
SECRETARIAT  
DISPUR  
GUWAHATI  
DISTRICT KAMRUP (METRO)  
ASSAM. PIN CODE-781006.

6:THE MANAGING DIRECTOR

ASSAM GOVT CONSTRUCTION CORPORATION  
REPRESENTED BY THE MANAGING DIRECTOR  
AND HAVING ITS OFFICE AT INDUSTRIES COMMERCE AND PUBLIC  
ENTERPRISE DEPARTMENT  
AT ASSAM  
SECRETARIAT  
DISPUR  
GUWAHATI  
DISTRICT KAMRUP (METRO)  
ASSAM. PIN CODE-781006

**Advocate for the Petitioner** : MR. H BURAGOHAİN, MR. C AGARWAL,MS A DEVI,MS. H BORAH

**Advocate for the Respondent** : GA, ASSAM,

**BEFORE**  
**HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

**ORDER**

**Date : 08-04-2026**

Heard Mr. H. Buragohain, learned counsel for the applicant. Also heard Mr. C.K.S. Baruah, learned Govt. Advocate appearing for the respondents.

The present interlocutory application has been instituted praying for substitution of the original petitioner No. 20, who during the pendency of the connected writ petition had passed on, on 08-07-2025. The applicant who is the wife of late Sarbeshwar Kalita (petitioner No. 20 in the connected writ petition) has also filed an additional affidavit brining on record a NoC granted to her by her sons, viz. Nayan Moni Kalita and Son Moni Kalita for substituting herself in place of their deceased father in the proceeding of W.P.(C) No. 6204/2024.

In view of the above, this Court is of the considered view that the substitution sought for by the applicant, herein, is required to be so granted.

Further, Mr. C.K.S. Baruah, learned Govt. Advocate, Assam has not objected to the said prayer of the applicant.

In view of the above, the applicant is permitted to substitute herself in place of petitioner No. 20 in W.P.(C) No. 6204/2024.

With the above observations and directions, the present interlocutory application stands disposed of.

**JUDGE**

**Comparing Assistant**