

GAHC010224462024



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

Case No. : CRP(IO)/454/2024

ON THE DEATH OF SAROJ SARMAH HIS LEGAL HEIR SMTI. GITANJALI
DEVI
W/O LATE SAROJ SARMAH, R/O GANDHI BASTI, P.O.-CHANDMARI, P.S.-
CHANDMARI, GUWAHATI-03, DIST-KAMRUP (M), ASSAM, AND P/R/A VILL-
BARIKACHUBURI, JYOTI NAGAR, P.O.-TEZPUR, P.S.-TEZPUR, DIST-
SONITPUR, ASSAM, PIN-784001

VERSUS

BISHWAJIT SAHA
S/O LATE ABHAY CHARAN SAHA, P/R/O KRISHNAI, JYOTINAGAR, P.O.
AND P.S.-KRISHNAI, DIST- GOALPARA, ASSAM, PIN-783126 AND P/R/A
HOUSE NO. 47, GANDHIBASTI MAIN ROAD, P.O.-SILPUKHURI, P.S.-
CHANDMARI, GUWAHATI-03, DIST- KAMRUP (M), ASSAM

Advocate for the Petitioner : L K BORAH,

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 13.11.2024

Heard Mr. L.K. Borah, learned counsel for the petitioner.

In this petition, under Article 227 of the Constitution of India read with

Sections 115/151 of the C.P.C., the petitioner has put to challenge the correctness or otherwise of the order dated 26.06.2024, passed by the learned Civil Judge (Senior Division) No. 1, Kamrup (M) at Guwahati, in Misc.(J) Case No. 691/2023, in connection with Title Suit No. 412/2019.

It is to be noted here that vide impugned order dated 26.06.2024, the learned trial court has impleaded one Smti. Anju Nahata, wife of Sri Rakesh Kumar Nahata, as defendant No. 2 in Title Suit No. 412/2019.

Perused the petition as well as the documents placed on the record.

Let notice be issued to the respondents returnable in 4 weeks, Steps be taken upon the respondents by way of Registered post with A/D as well as by usual process within a week from today.

List the matter after 4 (four) weeks.

The interim prayer of the petitioner will be considered on the next date.

JUDGE

Comparing Assistant