

GAHC010281272025



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

**Case No. : I.A.(Civil)/111/2026**

SANKAR DAS  
S/O SRI ABHAY CHARAN DAS @ ASHU R/O PANIGAON, DURGABARI,  
A.T.ROAD, NAGAON TOWN, DIST. NAGAON, ASSAM, PIN 782001

VERSUS

ABHISHEK SAHA AND ORS  
S/O LATE LITAN SAHA AND LATE UJJAL SAHA, PERMANENT RESIDENT  
OF R.K ROAD, MOUZA TOWN, PS SADAR, DIST NAGAON, ASSAM

2:SMTI BINITA SAHA  
D/O LATE LITAN SAHA AND LATE UJJAL SAHA  
PERMANENT RESIDENT OF R.K ROAD  
MOUZA TOWN  
PS SADAR  
DIST NAGAON  
ASSA

**Advocate for the Petitioner** : S KALITA, MR. M KALITA,MR. P DAS

**Advocate for the Respondent** : ,

Linked Case : I.A.(Civil)/3417/2019

SRI SANKAR DAS  
S/O SRI ABHAY CHANDRA DAS @ ASHU  
R/O PANIGAON  
DURGABARI  
A.T. ROAD  
NAGAON  
DIST. NAGAON  
ASSAM

PIN 782001

VERSUS

SMT UJJLA SAHA and ANR  
W/O LITAN SAHA  
R/O THAKUR RAM KRISHNA ROAD  
MOUZA TOWN  
DIST. NAGAON  
ASSAM  
PIN 782001

2:LALIT SAHA  
S/O SATISH SAHA  
R/O THAKUR RAM KRISHNA ROAD  
MOUZA TOWN  
DIST. NAGAON  
ASSAM  
PIN 782001

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Advocate for : MR. S KALITA  
Advocate for : appearing for SMT UJJLA SAHA and ANR

Linked Case : RSA/200/2017

SRI SANKAR DAS  
S/O SRI ABHAY CHARAN DAS @ ASHU R/O PANIGAON  
DURGABARI  
A.T.ROAD  
NAGAON TOWN  
DIST. NAGAON  
ASSAM  
PIN 782001

VERSUS

SMT UJJLA SAHA and ANR  
W/O LITAN SAHA

2:LALIT SAHA  
BOTH ARE R/O THAKUR RAM KRISHNA ROAD  
MOUZA TOWN  
DIST. NAGAON  
ASSAM  
PIN 782001

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Advocate for : MR.A C KALITA  
Advocate for : MR. B CHAKRAVARTY appearing for SMT UJJLA SAHA and ANR

**BEFORE  
HON'BLE MRS. JUSTICE MITALI THAKURIA**

O R D E R

Date : 21.01.2026.

Heard Mr. P. Das, learned counsel appearing for applicant/appellant.

This is an application Section 5 of the Limitation Act for condonation of delay in filing the substitution petition for the deceased respondent No.1 for 2180 days and deceased respondent No.2 for 948 days.

Mr. Das, the learned counsel further submitted that these two are the only respondents who contested the case but after their expiry, the legal heirs of the deceased respondent Nos. 1 and 2 are required to be substituted and the present application has been filed for substitution of the legal heirs of the deceased respondents in restoration proceeding in I.A. (Civil) No.3417/2019, arising out of RSA No.200/2017 (D/O).

Issue notice to the respondents, returnable in three (3) weeks.

Applicant to take steps for service of notice upon respondents by speed post as well as through usual process within 7 (seven) working days from today.

List the matter after four (4) weeks.

JUDGE

**Comparing Assistant**