

GAHC010267782025



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

Case No. : I.A.(Civil)/39/2026

RANJAN PRASAD KANU AND 3 ORS
S/O LATE SHIBLAL KANU, RESIDENT OF GAURIPUR WARD NO. 3, P.O AND
P.S- GAURIPUR, DIST- DHUBRI, ASSAM

2: SMTI MINA KANU @ MEENA KANU
D/O LATE SHIBLAL KANU
W/O SRI MADAN KANU
RESIDENT OF DINGDINGA BAZAR
PS GOSSAIGAON
DIST KOKRAJHAR
ASSAM

3: BINA KANU
D/O SHIBLAL KANU
W/O SRI ASHOK GUPTA
RESIDENT OF NEAR NAYA BAZAR
SILIGURI
DIST DARJEELING
WEST BENGAL.

4: SMTI MEERA KANU
D/O LATE SHIBLAL KANU
W/O SRI SANJAY KANU
RESIDENT OF BAZAR
WEST BENGAL
WEST BENGAL

VERSUS

LEGAL HEIRS OF LT SATYA NARAYAN KANU, SMTI. PRABATI KANU AND
ORS
W/O LATE SATYA NARAYAN KANU RESIDENT OF WARD NO. 8 (EARLIER
WARD NO. 3) GAURIPUR TOWN, PO AND PS GAURIPUR, DIST DHUBRI,
ASSAM 783331

2:SMTI RENU KANU
D/O LATE SATYA NARAYAN KANU
RESIDENT OF WARD NO. 8 (EARLIER WARD NO. 3) GAURIPUR TOWN
PO AND PS GAURIPUR
DIST DHUBRI
ASSAM 783331

3:SMTI. ARATI KANU
D/O LATE SATYA NARAYAN KANU
RESIDENT OF WARD NO. 8 (EARLIER WARD NO. 3) GAURIPUR TOWN
PO AND PS GAURIPUR
DIST DHUBRI
ASSAM 783331

4:SMTI. ANJALI KANU
D/O LATE SATYA NARAYAN KANU
RESIDENT OF WARD NO. 8 (EARLIER WARD NO. 3) GAURIPUR TOWN
PO AND PS GAURIPUR
DIST DHUBRI
ASSAM 783331

5:SRI SWAPAN KANU
S/O LATE SATYA NARAYAN KANU
RESIDENT OF WARD NO. 8 (EARLIER WARD NO. 3) GAURIPUR TOWN
PO AND PS GAURIPUR
DIST DHUBRI
ASSAM 783331

6:ON THE DEATH OF TAPAN KANU
HIS LEGAL HEIRS
NAMELY

6.1:SMT. SUJEETA KANU
W/O LATE TAPAN KANU
RESIDENT OF WARD NO. 3
GAURIPUR TOWN
PO AND PS GAURIPUR
DIST DHUBRI
ASSAM 783331

6.2:SMT. PRACHI KANU
D/O LATE TAPAN KANU
RESIDENT OF WARD NO. 3
GAURIPUR TOWN
PO AND PS GAURIPUR
DIST DHUBRI
ASSAM 783331

6.3:DIVYANSHU KANU
(MINOR)
S/O LATE TAPAN KANU
RESIDENT OF WARD NO. 3
GAURIPUR TOWN
PO AND PS GAURIPUR
DIST DHUBRI
ASSAM 783331

6.4:SMT. RUHEE KANU
(MINOR)
D/O LATE TAPAN KANU
RESIDENT OF WARD NO. 3
GAURIPUR TOWN
PO AND PS GAURIPUR
DIST DHUBRI
ASSAM 783331

7:LEGAL HEIRS OF LATE SHIB PRASAD KANU
SHRI SANTOSH KANU
S/O LATE SHIB PRASAD KANU

RESIDENT OF C/O RES. NO. 8 SHRI MANOJ KANU
RESIDENT OF WARD NO. 4
GAURIPUR TOWN
PO GAURIPUR
DIST DHUBRI
ASSAM

8:SHRI MANOJ KANU
S/O LATE SHIB PRASAD KANU

RESIDENT OF C/O RES. NO. 8 SHRI MANOJ KANU
RESIDENT OF WARD NO. 4
GAURIPUR TOWN
PO GAURIPUR
DIST DHUBRI
ASSAM

9:SHRI BINOD KANU
S/O LATE SHIB PRASAD KANU

RESIDENT OF C/O RES. NO. 8 SHRI MANOJ KANU
RESIDENT OF WARD NO. 4
GAURIPUR TOWN
PO GAURIPUR
DIST DHUBRI

ASSAM

10:SMTI SANGITA KANU @ BABY
D/O LATE SHIB PRASAD KANU

RESIDENT OF C/O RES. NO. 8 SHRI MANOJ KANU
RESIDENT OF WARD NO. 4
GAURIPUR TOWN
PO GAURIPUR
DIST DHUBRI
ASSAM

11:LEGAL HEIRS OF SMTI. LAKHPATI KANU
SHRI PRADIP KANU
C/O MADHAB SHAH

MADHIPARA WARD NO. 2
PO BASUGAON
DIST BONGAIGAON
ASSAM

12:SMTI ANJU SHAH
C/O MADHAB SHAH

MADHIPARA WARD NO. 2
PO BASUGAON
DIST BONGAIGAON
ASSAM

13:MANJU SHAH
C/O MADHAB SHAH

MADHIPARA WARD NO. 2
PO BASUGAON
DIST BONGAIGAON
ASSAM

14:LEGAL HEIRS OF SMTI. LACHI KANU
SRI NANDALAL KANU
S/O LATE MATILAL KANU
RESIDENT OF VILLAGE HEMRAIPARA
NEAR NETAJI SCHOOL
ALIPUR RAILWAY JUNCTION
DIST JALPAIGURI
WEST BENGAL.

15:SHRI AJIT KANU
S/O LATE MATILAL KANU

RESIDENT OF RLY. GATE
HANUMAN MANDIR PO FAKIRGANJ DIST KOKRAJHAR

16:THE DEPUTY COLLECTOR
DHUBRI
P.O. AND DIST- DHUBRI
ASSA

Advocate for the Petitioner : MS. R CHOUDHURY, MS. B. HAZARIKA,MS F N ZAMAN

Advocate for the Respondent : MR. A C SARMA, MR G BHARADWAJ,MR N BRAHMA

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 19.01.2026

- 1.** Heard Ms. B. Hazarika, learned counsel for the applicants. Also heard Mr. D. J. Medhi, learned counsel for the respondents.
- 2.** This application under Order 22 Rule 4 of the Code of Civil Procedure, 1908 has been filed by the applicants praying for substitution of the legal heirs of respondent No. 6 in the connected RSA No. 92/2024.
- 3.** The respondent No. 6 has expired on 01.09.2025 and it is submitted at the bar that the instant substitution application has been filed within the period of limitation.
- 4.** The learned counsel for the other respondents does not oppose the prayer for substitution of the legal heirs of respondent No. 6.
- 5.** Accordingly, the substitution petition is allowed.
- 6.** The name of (i) Smti Sujeeta Kanu, (ii) Smt. Prachi Kanu, (iii) Sri Divyanshu Kanu and (iv) Smt. Ruhee Kanu may be substituted as respondent

Nos. 6.1, 6.2, 6.3 and 6.4 in place of the deceased respondent, Tapan Kanu.

7. The appellant shall file an amended cause title and memo of appeal in the connected regular second appeal within two weeks from the date of this order.

8. This interlocutory application is accordingly disposed of.

JUDGE

Comparing Assistant