

GAHC010036952022



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

Case No. : I.A.(Civil)/1131/2022

SRI TAPAN SAHA AND 3 ORS.

S/O- LATE UPENDRA NATH SAHA, R/O- WARD NO. III, GAURIPUR TOWN,
P.O. GAURIPUR, P.S. GAURIPUR, DIST.- DHUBRI, ASSAM, PIN- 783331.

2: SOVAN SAHA

S/O- LATE UPENDRA NATH SAHA

R/O- WARD NO. III

GAURIPUR TOWN

P.O. GAURIPUR

P.S. GAURIPUR

DIST.- DHUBRI

ASSAM

PIN- 783331.

3: RATAN SAHA

S/O- LATE UPENDRA NATH SAHA

R/O- WARD NO. III

GAURIPUR TOWN

P.O. GAURIPUR

P.S. GAURIPUR

DIST.- DHUBRI

ASSAM

PIN- 783331.

4: JIBAN KRISHNA SAHA

S/O- LATE UPENDRA NATH SAHA

R/O- WARD NO. III

GAURIPUR TOWN

P.O. GAURIPUR

P.S. GAURIPUR

DIST.- DHUBRI

ASSAM

PIN- 783331

VERSUS

SRI JOYKANTA KALITA AND 9 ORS.

S/O LATE BIDITRAM KALITA, R/O GAURIPUR TOWN, WARD NO. 3, PO
GAURIPUR, PS GAURIPUR, DIST. DHUBRI, ASSAM, PIN-783331

2:LAKSHMIKANTA KALITA
D/O LATE BIDITRAM KALITA
R/O GARUIPUR TOWN
WARD NO. 3
PO GAURIPUR
PS GAURIPUR
DIST. DHUBRI
ASSAM
PIN-783331

3:ON THE DEATH OF SUBODH SAHA
HIS LEGAL HEIRS

3.1:MRS. AROTI SAHA
W/O LATE SUBODH SAHA
R/O VILL-GAURIPUR
WARD NO. 4
P.O.-GAURIPUR
DIST-DHUBRI
ASSAM
PIN-783331

3.2:MRS. ARPITA SAHA
D/O LATE SUBODH SAHA
C/O PRITAM SAHA (GOBIND SAHA)
VILLAGE SHANTINAGAR
WARD NO. 13
PO DHUBRI
DIST. DHUBRI
ASSAM
PIN-783301

3.3:SUJIT SAHA
S/O LATE SUBODH SAHA
R/O VILLAGE-GAURIPUR
WARD NO. 4
PO GAURIPUR
DIST. DHUBRI
ASSAM
PIN-783331

4:ON THE DEATH OF SUBAL SAHA

HIS LEGAL HEIRS

4.1:SMTI. SHIPRA SAHA
W/O LATE SUBAL SAHA
R/O GAURIPUR TOWN
P.O.-GAURIPUR
NEAR NARI SAMITI
DIST-DHUBRI
ASSAM
PIN-783331

4.2:SUMIT SAHA
S/O LATE SUBAL SAHA
R/O GAURIPUR TOWN
PO GAURIPUR
NEAR NARI SAMITI
DIST. DHUBRI
ASSAM
PIN-783331

4.3:SUDIP SAHA
S/O LATE SUBAL SAHA
R/O GAURIPUR TOWN
PO GAURIPUR
NEAR NARI SAMITI
DIST. DHUBRI
ASSAM
PIN-783331

4.4:SAURAV SAHA
S/O LATE SUBAL SAHA
R/O GAURIPUR TOWN
PO GAURIPUR
NEAR NARI SAMITI
DIST. DHUBRI
ASSAM
PIN-783331

5:JITENDRA NATH SAHA
S/O LATE JOGENDRA NATH SAHA
R/O GARUIPUR TOWN
WARD NO. 3
PO GAURIPUR
PS GAURIPUR
DIST. DHUBRI
ASSAM
PIN-783331

6:NIRMAL SAHA
S/O LATE JOGENDRA NATH SAHA
R/O GARUIPUR TOWN
WARD NO. 3
PO GAURIPUR
PS GAURIPUR
DIST. DHUBRI
ASSAM
PIN-783331

7:RAJIB SAHA
S/O LATE MOHALAL SAHA
R/O GARUIPUR TOWN
WARD NO. 3
PO GAURIPUR
PS GAURIPUR
DIST. DHUBRI
ASSAM
PIN-783331

8:SHEFALI BALA SAHA
W/O LATE MOHANLAL SAHA
R/O GARUIPUR TOWN
WARD NO. 3
PO GAURIPUR
PS GAURIPUR
DIST. DHUBRI
ASSAM
PIN-783331

9:UTPAL SAHA
S/O LATE PARESH SAHA
R/O GARUIPUR TOWN
WARD NO. 4
PO GAURIPUR
PS GAURIPUR
DIST. DHUBRI
ASSAM
PIN-783331

10:THE STATE OF ASSAM
REPRESENTED BY THE COLLECTOR OF DHUBRI DISTRICT
P.O.-DHUBRI
DIST- DHUBRI
ASSAM
PIN-78330

Advocate for the Respondent : MR D CHAKRABORTY

Linked Case : RSA/278/2019

SRI TAPAN SAHA AND 3 ORS.
S/O- LATE UPENDRA NATH SAHA
R/O- WARD NO. III
GAURIPUR TOWN
P.O. GAURIPUR
P.S. GAURIPUR
DIST.- DHUBRI
ASSAM
PIN- 783331.

2: SRI SOVAN SAHA
S/O- LATE UPENDRA NATH SAHA
R/O- WARD NO. III
GAURIPUR TOWN
P.O. GAURIPUR
P.S. GAURIPUR
DIST.- DHUBRI
ASSAM
PIN- 783331.

3: SRI RATAN SAHA
S/O- LATE UPENDRA NATH SAHA
R/O- WARD NO. III
GAURIPUR TOWN
P.O. GAURIPUR
P.S. GAURIPUR
DIST.- DHUBRI
ASSAM
PIN- 783331.

4: SRI JIBAN KRISHNA SAHA
S/O- LATE UPENDRA NATH SAHA
R/O- WARD NO. III
GAURIPUR TOWN
P.O. GAURIPUR
P.S. GAURIPUR
DIST.- DHUBRI
ASSAM
PIN- 783331.

VERSUS

SRI JOYKANTA KALITA AND 9 ORS.
S/O- LATE BIDITRAM KALITA
R/O- GAURIPUR TOWN
WARD NO. 3
P.O. GAURIPUR
P.S. GAURIPUR
DIST.- DHUBRI
ASSAM
PIN- 783331.

2:SRI LAKSMIKANTA KALITA
D/O- LATE BIDITRAM KALITA
R/O- GAURIPUR TOWN
WARD NO. 3
P.O. GAURIPUR
P.S. GAURIPUR
DIST.- DHUBRI
ASSAM
PIN- 783331.

3:SRI SUBODH SAHA
S/O- LATE MAHENDRA NATH SAHA
R/O- GAURIPUR TOWN
WARD NO. 3
P.O. GAURIPUR
P.S. GAURIPUR
DIST.- DHUBRI
ASSAM
PIN- 783331.

4:SRI SUBAL SAHA
S/O- LATE MAHENDRA NATH SAHA
R/O- GAURIPUR TOWN
WARD NO. 3
P.O. GAURIPUR
P.S. GAURIPUR
DIST.- DHUBRI
ASSAM
PIN- 783331.

5:SRI JITENDRA NATH SAHA
S/O- LATE JOGENDRA NATH SAHA
R/O- GAURIPUR TOWN
WARD NO. 3
P.O. GAURIPUR
P.S. GAURIPUR
DIST.- DHUBRI
ASSAM
PIN- 783331.

6:SRI NIRMAL SAHA
S/O- LATE JOGENDRA NATH SAHA
R/O- GAURIPUR TOWN
WARD NO. 3
P.O. GAURIPUR
P.S. GAURIPUR
DIST.- DHUBRI
ASSAM
PIN- 783331.

7:SRI RAJIB SAHA
S/O- LATE MOHANLAL SAHA
R/O- GAURIPUR TOWN
WARD NO. 3
P.O. GAURIPUR
P.S. GAURIPUR
DIST.- DHUBRI
ASSAM
PIN- 783331.

8:SRI SHEFALI BALA SAHA
W/O- LATE MOHANLAL SAHA
R/O- GAURIPUR TOWN
WARD NO. 3
P.O. GAURIPUR
P.S. GAURIPUR
DIST.- DHUBRI
ASSAM
PIN- 783331.

9:SRI UTPAL SAHA
S/O- LATE PARESH SAHA
R/O- GAURIPUR TOWN
WARD NO. 4
P.O. GAURIPUR
P.S. GAURIPUR
DIST.- DHUBRI
ASSAM
PIN- 783331.

10:THE STATE OF ASSAM
REP. BY THE COLLECTOR OF DHUBRI DISTRICT
P.O. AND DIST.- DHUBRI
ASSAM
PIN- 783301.

Advocate for : MR. P P BARUAH
Advocate for : MR D. CHAKRABORTY (r-1
2) appearing for SRI JOYKANTA KALITA AND 9 ORS.

Linked Case : I.A.(Civil)/1128/2022

SRI TAPAN SAHA AND 3 ORS.
S/O- LATE UPENDRA NATH SAHA
R/O- WARD NO. III
GAURIPUR TOWN
P.O. GAURIPUR
P.S. GAURIPUR
DIST.- DHUBRI
ASSAM
PIN- 783331.

2: SOVAN SAHA
S/O- LATE UPENDRA NATH SAHA
R/O- WARD NO. III
GAURIPUR TOWN
P.O. GAURIPUR
P.S. GAURIPUR
DIST.- DHUBRI
ASSAM
PIN- 783331.

3: RATAN SAHA
S/O- LATE UPENDRA NATH SAHA
R/O- WARD NO. III
GAURIPUR TOWN
P.O. GAURIPUR
P.S. GAURIPUR
DIST.- DHUBRI
ASSAM
PIN- 783331.

4: JIBAN KRISHNA SAHA
S/O- LATE UPENDRA NATH SAHA
R/O- WARD NO. III
GAURIPUR TOWN
P.O. GAURIPUR
P.S. GAURIPUR
DIST.- DHUBRI
ASSAM
PIN- 783331.
VERSUS

SRI JOYKANTA KALITA AND 9 ORS.
S/O LATE BIDITRAM KALITA
R/O GAURIPUR TOWN
WARD NO. 3
PO GAURIPUR

PS GAURIPUR
DIST. DHUBRI
ASSAM
PIN-783331

2:LAKSHMIKANTA KALITA
D/O LATE BIDITRAM KALITA
R/O GARUIPUR TOWN
WARD NO. 3
PO GAURIPUR
PS GAURIPUR
DIST. DHUBRI
ASSAM
PIN-783331

3:ON THE DEATH OF SUBODH SAHA
HIS LEGAL HEIRS

3.1:MRS. AROTI SAHA
W/O LATE SUBODH SAHA
R/O VILL-GAURIPUR
WARD NO. 4
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3.2:MRS. ARPITA SAHA
D/O LATE SUBODH SAHA
C/O PRITAM SAHA (GOBIND SAHA)
VILLAGE SHANTINAGAR
WARD NO. 13
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3.3:SUJIT SAHA
S/O LATE SUBODH SAHA
R/O VILLAGE-GAURIPUR
WARD NO. 4
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DIST. DHUBRI
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4:ON THE DEATH OF SUBAL SAHA
HIS LEGAL HEIRS

4.1:SMTI. SHIPRA SAHA
W/O LATE SUBAL SAHA
R/O GAURIPUR TOWN
P.O.-GAURIPUR
NEAR NARI SAMITI

DIST-DHUBRI
ASSAM
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4.2:SUMIT SAHA
S/O LATE SUBAL SAHA
R/O GAURIPUR TOWN
PO GAURIPUR
NEAR NARI SAMITI
DIST. DHUBRI
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S/O LATE SUBAL SAHA
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R/O GARUIPUR TOWN
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10:THE STATE OF ASSAM
REPRESENTED BY THE COLLECTOR OF DHUBRI DISTRICT
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ASSAM
PIN-783301

Advocate for : MR. P P BARUAH
Advocate for : MR D CHAKRABORTY appearing for SRI JOYKANTA KALITA
AND 9 ORS.

Linked Case : I.A.(Civil)/1127/2022

SRI TAPAN SAHA AND 3 ORS.
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S/O LATE SUBAL SAHA
R/O GAURIPUR TOWN
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S/O LATE SUBAL SAHA
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4.4:SAURAV SAHA
S/O LATE SUBAL SAHA
R/O GAURIPUR TOWN
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5:JITENDRA NATH SAHA
S/O LATE JOGENDRA NATH SAHA
R/O GARUIPUR TOWN
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6:NIRMAL SAHA
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R/O GARUIPUR TOWN
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S/O LATE MOHALAL SAHA
R/O GARUIPUR TOWN
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W/O LATE MOHANLAL SAHA
R/O GARUIPUR TOWN
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S/O LATE PARESH SAHA
R/O GARUIPUR TOWN
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PIN-783331
10:THE STATE OF ASSAM
REPRESENTED BY THE COLLECTOR OF DHUBRI DISTRICT
P.O.-DHUBRI
DIST- DHUBRI
ASSAM
PIN-783301

Advocate for : MR. P P BARUAH

Advocate for : MR D CHAKRABORTY appearing for SRI JOYKANTA KALITA
AND 9 ORS.

BEFORE
HONOURABLE MR. JUSTICE HITESH KUMAR SARMA

ORDER

18-04-2022

Mr. R. Sarma, learned counsel represents the appellants/applicants.

Ms. F.N. Jaman, learned counsel represents the respondent Nos. 1, 2 and 9.

List the matters on **07-05-2022**.

JUDGE

Comparing Assistant