

GAHC010307612019



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

Case No. : I.A.(Civil) 329/2020

1:ON THE DEATH OF PURNARAM NATH
HIS LEGAL HEIRS

1.1: DEEPAK NATH
S/O LATE PUNARAM NATH
VILL-GASBARI (KALYANPUR)
MAUZA
P.O. AND P.S.-MORIGAON
DIST-MORIGAON
ASSAM
PIN-782105

1.2: SUMESWAR NATH
S/O LATE PUNARAM NATH
VILL-GASBARI (KALYANPUR)
MAUZA
P.O. AND P.S.-MORIGAON
DIST-MORIGAON
ASSAM
PIN-782105

1.3: MISS SAVITA DEVI
D/O LATE PUNARAM NATH
VILL-GASBARI (KALYANPUR)
MAUZA
P.O. AND P.S.-MORIGAON
DIST-MORIGAON
ASSAM
PIN-782105

1.4: MISS RUPALI DEVI
D/O LATE PUNARAM NATH
VILL-GASBARI (KALYANPUR)
MAUZA

P.O. AND P.S.-MORIGAON
DIST-MORIGAON
ASSAM
PIN-782105

1.5: SARANNA NATH
S/O LATE PUNARAM NATH
VILL-GASBARI (KALYANPUR)
MAUZA
P.O. AND P.S.-MORIGAON
DIST-MORIGAON
ASSAM
PIN-782105

1.6: GUBINDA NATH
S/O LATE PUNARAM NATH
VILL-GASBARI (KALYANPUR)
MAUZA
P.O. AND P.S.-MORIGAON
DIST-MORIGAON
ASSAM
PIN-782105

1.7: MISS RINA DEVI
D/O LATE PUNARAM NATH
VILL-GASBARI (KALYANPUR)
MAUZA
P.O. AND P.S.-MORIGAON
DIST-MORIGAON
ASSAM
PIN-78210

VERSUS

1:ON THE DEATH OF GOPAL NATH
HIS LEGAL HEIRS

1.1:DIMBESWAR NATH
S/O LATE SRI GOPAL NATH
VILL-JUR AHAT
P.O.-BAGHARA
P.S. AND MOUZA-MORIGAON
DIST-MORIGAON
ASSAM
PIN-782105

1.2:MS. SUWAGI DEVI
D/O LATE SRI GOPAL NATH

VILL-JUR AHAT
P.O.-BAGHARA
P.S. AND MOUZA-MORIGAON
DIST-MORIGAON
ASSAM
PIN-782105

1.3:LALIT NATH
S/O LATE SRI GOPAL NATH
VILL-JUR AHAT
P.O.-BAGHARA
P.S. AND MOUZA-MORIGAON
DIST-MORIGAON
ASSAM
PIN-782105

1.4:MS. GUNEMAI DEVI
D/O LATE SRI GOPAL NATH
VILL-JUR AHAT
P.O.-BAGHARA
P.S. AND MOUZA-MORIGAON
DIST-MORIGAON
ASSAM
PIN-782105

1.5:BHAITIRAM NATH
S/O LATE SRI GOPAL NATH
VILL-JUR AHAT
P.O.-BAGHARA
P.S. AND MOUZA-MORIGAON
DIST-MORIGAON
ASSAM
PIN-78210

Advocate for the Petitioner : MD. M H CHOUDHURY

Advocate for the Respondent :

Linked Case : Review.Pet. 66/2018

1:ON THE DEATH OF PURNARAM NATH HIS LEGAL HEIRS - SHRI DEEPAK
NATH and 6 ORS
S/O LATE PUNARAM NATH

VILL. GASBARI KALYANPUR
MOUZA
P.O. and P.S. MORIGAON
DIST. MORIGAON
ASSAM
PIN 782105

2: SHRI SUMESWAR NATH
S/O LATE PUNARAM NATH
VILL. GASBARI KALYANPUR
MOUZA
P.O. and P.S. MORIGAON
DIST. MORIGAON
ASSAM
PIN 782105

3: MISS SABITA DEVI
D/O LATE PUNARAM NATH
VILL. GASBARI KALYANPUR
MOUZA
P.O. and P.S. MORIGAON
DIST. MORIGAON
ASSAM
PIN 782105

4: MISS RUPALI DEVI
D/O LATE PUNARAM NATH
VILL. GASBARI KALYANPUR
MOUZA
P.O. and P.S. MORIGAON
DIST. MORIGAON
ASSAM
PIN 782105

5: SHRI SARANNA NATH
S/O LATE PUNARAM NATH
VILL. GASBARI KALYANPUR
MOUZA
P.O. and P.S. MORIGAON
DIST. MORIGAON
ASSAM
PIN 782105

6: SHRI GUBINDA NATH
D/O LATE PUNARAM NATH
VILL. GASBARI KALYANPUR
MOUZA
P.O. and P.S. MORIGAON

DIST. MORIGAON
ASSAM
PIN 782105

7: MISS RINA DEVI
D/O LATE PUNARAM NATH
VILL. GASBARI KALYANPUR
MOUZA
P.O. and P.S. MORIGAON
DIST. MORIGAON
ASSAM
PIN 782105
VERSUS

1:SRI GOPAL NATH and 2 ORS
S/O LATE BADAK NATH
VILL. JUR AHAT
MOUZA-MORIGAON
DIST. MORIGAON
ASSAM
PIN 782105

2:SRI NITAI NATH
S/O LATE BADAK NATH
VILL. JUR AHAT
MOUZA-MORIGAON
DIST. MORIGAON
ASSAM
PIN 782105

3:SRI SUKURAM NATH
S/O LATE BADAK NATH
VILL. JUR AHAT
MOUZA-MORIGAON
DIST. MORIGAON
ASSAM
PIN 782105

Advocate for the Petitioner : MD. M H CHOUDHURY
Advocate for the Respondent : MR. D C MAHANTA

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 13-02-2020

Heard Mr. M.K. Choudhury, learned counsel for the applicant. I have also heard Ms. P. Bhattacharya, learned counsel appearing for the opposite party nos. 2 and 3.

This IA has been filed under section 5 of the Limitations Act, 1963, praying for condonation of delay of 1127 days delay in filing the substitution petition.

Issue notice returnable in six weeks.

Since the respondent nos. 2 and 3 are already represented, no formal notice is required to be sent to the said respondents. However, the applicant to take steps for service of notice upon the legal heirs of the respondent no.1 by registered post with A/D as well as usual process within one week from today.

List accordingly.

JUDGE

Sukhamay

Comparing Assistant