

GAHC010062332024



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

Case No. : I.A.(Civil)/949/2024

SRI PARIKHIT PATHAK @ PARIKHA PATHAK
S/O LATE RAMANI PATHAK, R/O DOLOIGAON, MAJPARA, P.O. AND P.S.
BONGAIGAON, DIST. BONGAIGAON, ASSAM.

VERSUS

ON THE DEATH OF SUNITA PATHAK HER LEGAL HEIRS DHANDIP RAY
AND ANR
SRI DHANDIP RAY, S/O LATE BHABEN RAY, R/O DOLOIGAON, MAJPARA,
P.O. AND P.S. BONGAIGAON, DISTRICT BONGAIGAON, ASSAM. BEING
MINOR REPRESENTED BY HIS LEGAL GUARDIAN RESPONDENT NO.2

2:SMTI. BONEBALA RAY

W/O LATE BIJOY RAY
R/O DOLOIGAON
MAJPARA
P.O. AND P.S. BONGAIGAON
DISTRICT BONGAIGAON
ASSAM

Advocate for the Petitioner : MR. S K SAHARIAH

Advocate for the Respondent : MR. B J MUKHERJEE

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA**

ORDER

22.04.2024

Heard Mr. C. Sharma, learned counsel for the applicant. Also heard Mr. R. Saha, learned counsel for the respondent.

This is an application filed under Order XXII, Rule 4 *read with* Section 151 of the Code of Civil Procedure, 1908 praying for substitution of the legal heirs of the sole respondent namely Lt. Sunita Pathak and impleading Sri Dhandip Ray as respondent No.1 and Bonebala Ray as respondent No.2 in R.F.A. No.156/2018.

It is submitted by the learned counsel for the applicant, Mr. C. Sharma that after admitting the connected RFA Case No.156/2018, the sole respondent Sunita Pathak expired on 23.01.2024 leaving behind her legal heirs namely Sri Dhandip Ray and Bonebala Ray. Accordingly, the present petition has been filed for impleading the names of Sri Dhandip Ray as respondent No.1 and Bonebala Ray as respondent No.2 in R.F.A. Case No.156/2018.

In this regard, the learned counsel for the respondent has raised no objection.

Accordingly, the Interlocutory Application stands allowed. The present respondents, namely, Sri Dhandip Ray and Bonebala Ray, are impleaded as respondent Nos. 1 and 2 respectively, in the connected in R.F.A. Case No.156/2018.

The Interlocutory Applications stands disposed of in terms above.

JUDGE

Comparing Assistant