

GAHC010066052024



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

Case No. : I.A.(Civil)/983/2024

MAMANI BARUAH AND 2 ORS
WIFE OF LATE MODIT RANJAN GOGOI, R/O BRAHMAPUTRA HOUSING
COLONY, BHETAPARA, GUWAHATI.

2: HRISHIKESH GOGOI

SON OF LATE MODIT RANJAN GOGOI
R/O BRAHMAPUTRA HOUSING COLONY
BHETAPARA
GUWAHATI.

3: BHASKAR JYOTI GOGOI

SON OF LATE MODIT RANJAN GOGOI
R/O BRAHMAPUTRA HOUSING COLONY
BHETAPARA
GUWAHATI

VERSUS

THE STATE OF ASSAM AND 2 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
DEPARTMENT OF HEALTH AND FAMILY WELFARE, DISPUR, GUWAHATI-
781006

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM

FINANCE DEPARTMENT
DISPUR
GUWAHATI-781006.

3:THE DIRECTOR OF AYUSH

ASSAM

HOUSE NO.1
BANPHUL NAGAR PATH
BASISTHA ROAD
GUWAHAT

Advocate for the Petitioner : MR. K M HALOI

Advocate for the Respondent : SC, HEALTH

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

10.04.2024

Heard Mr. K.M. Haloi, learned counsel for the applicants.

The Interlocutory Application has been filed praying for substitution of the legal heirs of Dr. Modit Ranjan Gogoi, who is the petitioner no.11 in WP(C) No.6375/2015, in the writ petition. The petitioner no.11 had expired on 03.03.2023. Learned counsel for the applicants has referred to the death certificate of Modit Ranjan Gogoi issued on 12.04.2023 showing the name of his wife Mamoni Baruah. Pursuant thereto the legal heirs applied for Legal Heirs Certificate before the Kamrup Metropolitan District and accordingly, Legal Heirs Certificate was issued to them on 14.06.2023 showing Mamoni Baruah as wife and Hrishikesh Gogoi and Bhaskar Jyoti Gogoi as sons of the late Modit Ranjan Gogoi. Accordingly, learned counsel for the applications has prayed that the name of the applicants be substituted in place of the petitioner no.11.

Prayer is not objected to by Ms. D. Bora, learned Standing Counsel,
Health Department as well as Mr. C. Baruah, learned Accountant General,
Assam.

Accordingly, Interlocutory Application stands allowed and disposed of.

The applicants, namely, Mamoni Baruah, Hrishikesh Gogoi and Bhaskar Jyoti Gogoi be arrayed as the petitioner no.11(a), 11(b) and 11(c) in WP(C) No.6375/2015 in place of the petitioner no.11, Dr. Modit Ranjan Gogoi.

Learned counsel for the applicants/petitioners shall file amended cause-title before the Registry within a period of 1 (one) week from today.

JUDGE

Comparing Assistant