

GAHC010109322023



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

Case No. : I.A.(Civil)/115/2024

ANIMA SAIKIA,
C/O- LT. BHUPEN SAIKIA, R/O- VILL- KALITAGAON, P.O. KALABARI, DIST.-
SONITPUR (ASSAM), PIN- 784178

VERSUS

DHARMA KANTA MILI,
DIRECTOR OF HIGHER EDUCATION, ASSAM, KAHILIPARA, GHY-19

Advocate for the Petitioner : MR. P. SINGHA

Advocate for the Respondent : SC, HIGHER EDU

BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE

ORDER

Date : 07.02.2024

Heard Mr. P.H. Konwar, learned counsel for the applicant. Also heard Mr. A.R. Tahbildar, learned standing counsel, Higher Education Department, Govt. of Assam for the opposite party/respondents.

By filing the application, the applicant has prayed for substituting the writ petitioner who has expired on 14.11.2022 during the pendency of the contempt petition.

The learned counsel for the petitioner submits that during the pendency of the contempt petition, the petitioner Bhupen Saikia has passed away due to old age and ailment leaving behind his wife and children as the legal heirs. Therefore, he submits that the present applicant, being the wife of late Sri Bhupen Saikia may be allowed to substitute Bhupen Saikia in the Contempt Petition.

Mr. A.R. Tahbildar, learned standing counsel has made no objection to the aforesaid prayer.

Considering that the petitioner has expired during the pendency of the present petition and the applicant is the wife, this Court deems it appropriate to allow the petition by substituting the applicant as petitioner in the contempt petition being Cont.Cas(C) 490/2022.

Accordingly, the applicant is allowed to be substituted in the contempt petition as petitioner.

I.A. stands disposed of.

JUDGE

Comparing Assistant