

GAHC010178142020



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

I.A.(Civil)/3420/2024

ON THE DEATH OF ANUP SHARMA HIS LEGAL  
HEIRS KAMINI DEVI AND ANR

2: SMKTI KAMINI DEVI  
W/O- LT. ANUP SHARMA  
R/O- VILL- PUB SAHAN  
RANGIA  
IN THE DIST. OF KAMRUP (R)  
ASSAM

3: SRI JITUL SARMA  
W/O- LT. ANUP SHARMA  
R/O- VILL- PUB SAHAN  
RANGIA  
IN THE DIST. OF KAMRUP (R)  
ASSAM  
VERSUS

THE UNION OF INDIA AND 6 ORS  
REP. BY THE SECY. OF GOVT. OF INDIA  
MINISTRY OF DEFENSE  
SOUTH BLOCK  
NEW DELHI- II

2:THE DEFENSE ESTATE OFFICER  
TEZPUR CIRCLE  
GOLE PARK ROAD  
TEZPUR  
PIN- 784001  
ASSAM

3:THE COMMANDING OFFICER  
STATION HEAD QUARTER

RANGIA  
ASSAM  
PIN- 781354

4:THE COLLECTOR CUM DY. COMMISSIONER  
KAMRUP (R)  
AMINGAON  
ASSAM  
PIN- 781031

5:THE SDO (C)  
RANGIA  
DIST.- KAMRUP  
ASSAM  
PIN- 781354

6:THE CIRCLE OFFICER  
RANGIA REVENUE CIRCLE  
RANGIA  
KAMRUP  
ASSAM  
PIN- 781354

7:SIDHINATH VIDYAMANDIR HIGH SCHOOL  
NAKUL  
RANGIA  
KAMRUP  
ASSAM  
PIN- 781354  
REP. BY ITS PRESIDENT AND SECY.

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Advocate for : MR D K NATH  
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 6 ORS

**BEFORE**  
**HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

**ORDER**

**02.12.2024**

Heard Mr. D.K. Nath, learned counsel for the applicants. Also heard Mr. B.J. Talukdar, learned Senior Government Advocate assisted by Mr. P.K. Medhi, learned counsel for the respondent nos.4, 5 & 6 and Mr. S. Kakoti, learned

counsel for the respondent no.7, learned counsel for the respondent no.1 & 2.

This Interlocutory Application has been filed seeking substitution of the legal heirs of the writ petition No.2 late Anup Sharma, who expired on 22.03.2024. It is submitted that this application is filed within the limitation prescribed under the Code of Civil Procedure.

Accordingly, learned counsel for the applicants prays for substitution of Smti. Kamini Devi, wife of late Anup Sarma and Sri Jitul Sarma, son of late Anup Sharma as legal heirs of the petitioner no.2, late Anup Sharma.

Learned counsel for the respondents do not have any objection to the prayer made.

Accordingly, Interlocutory Application stands allowed.

The applicants, namely, Smti. Kamini Devi, wife of late Anup Sarma and Sri Jitul Sarma, son of late Anup Sarma as legal heirs of the petitioner no.2, late Anup Sarma are allowed to be substituted in place of the petitioner no.2, late Anup Sharma.

Learned counsel for the petitioner shall file amended cause title within a period of 1 (one) week from today.

**JUDGE**

**Comparing Assistant**