

GAHC010129692024



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

Case No. : I.A.(Civil)/2067/2024

RIMA DUTTA
W/O- SHRI RAMESH DUTTA, R/O. CHOLADHARA, TRP ROAD, JORHAT
TOWN IN THE DIST. OF JORHAT, ASSAM.

VERSUS

JORHAT MUNICIPAL BOARD AND 4 ORS. F
JORHAT, REP. BY ITS CHAIRMAN, O/O THE CHAIRMAN, JORHAT
MUNICIPAL BOARD, JORHAT.

2:CHAIRMAN
JORHAT MUNICIPAL BORAD
JORHAT
O/O. THE CHAIRMAN
JORHAT MUNICIPAL BOARD
JORHAT.

3:THE DEPUTY COMMISSIONER
JORHAT.

4:TON THE DEATH OF TAPAN COOMAR DASS
HIS LEGAL HEIRS

5:MANASH DASS
S/O- LT. SUSHIL KUMAR DOSS
R/O. K.B. ROAD
THANA CHARIALI
JORHAT.

6:SMT. ANJUSHREE DOSS

W/O- LT. TAPAN COOMAR DAS

R/O. K.B. ROAD
THANA CHARIALI
JORHATTOWN
PS. AND DISTRICT JORHAT
ASSAM

7:SRI MRINMOY COOMAR DOSS
S/O- LT. TAPAN COOMAR DAS
R/O. K.B. ROAD
THANA CHARIALI
JORHATTOWN
PS. AND DISTRICT JORHAT
ASSAM

8:SMT. PUPREE DOSS

D/O- LT. TAPAN COOMAR DAS
R/O. K.B. ROAD
THANA CHARIALI
JORHATTOWN
PS. AND DISTRICT JORHAT
ASSA

Advocate for the Petitioner : MR G N SAHEWALLA, MR. M SAHEWALLA

Advocate for the Respondent : SC, J M B, GA, ASSAM,MR. T J MAHANTA

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 31.07.2024

Heard Ms. K Sarma learned counsel for the applicant and also heard Mr. H.K. Sarma, learned standing counsel, Jorhat Municipal Board and Ms. P Bhattacharyya learned counsel for the respondent Nos.4 and 5.

The present application is filed for substitution of legal heirs of respondent No.4 Late Tapan Coomar Das in WP(C)

No.5873/2019 who died on 01.06.2024.

The learned counsel for the respondents submits that they have no objection in substituting the legal heirs of the respondent No.4.

Perused the application and the statements made therein.

In paragraph No.2 of the application, it has been mentioned that the respondent No.4, died on 01.06.2024 and was survived by the legal representatives, whose names have been mentioned therein at Sl. Nos.4(a) Smt. Anjushree Doss (wife), 4(b) Sri Mrinmoy Coomar Doss (son) & 4(c). Smt. Pupree Doss (daughter).

This court is of the opinion that right to sue survives.

Accordingly this Court substitutes the persons whose names appears at Sl. Nos.4(a), 4(b) & 4(c) of paragraph 2 of the instant application against the name of the respondent No.4.

The Registry is directed to make necessary corrections of the records accordingly and list the main case in due course.

The petitioner to furnish an amended cause title to the Registry in terms of the extent norms.

In view of the above, the I.A stands disposed.

JUDGE

Comparing Assistant