

GAHC010195292024



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

Case No. : I.A.(Civil)/2958/2024

MOINA DAS
W/O LATE GIRIN DAS, R/O HAIBARGAON, P.O.-HAIBARGAON, NAGAON-
782002, ASSAM

VERSUS

THE INDIAN OIL CORPORATION LTD AND 7 ORS
A GOVT. OF INDIA ENTERPRISE REGD. UNDER THE COMPANIES ACT, 1956,
REP. BY ITS CHAIRMAN AND HAVING ITS REGD. OFFICE AT INDIAN OIL
BHAWAN, ALI YAVAR JUNG MARG, BANDRA (EAST), MUMBAI-400051.

2:THE MARKETING OFFICER
INDIAN OIL CORPORATION LTD.
ASSAM OIL DIVISION.

3:THE CHIEF DIVISIONAL RETAIL SALES MANAGER
INDIAN OIL CORPORATION LTD.
EAST POINT TOWER
BAMUNIMAIA
GUWAHATI-781021
DIST. KAMRUP (M)
ASSAM.

4:THE DY. COMMISSIONER
MORIGAON
ASSAM

5:MAUSHUMI KHAUND DAS
W/O. SRI PARASHMONI DAS
R/O. A T ROAD
VODAFONE BUILDING
OPPOSITE HAIBARGAON HIGH SCHOOL

PIN-782002
DIST. NAGAON
ASSAM

6:PARASHMONI DAS
S/O. LT. MATHURA DAS. R/O. A T ROAD
VODAFONE BUILDING
OPPOSITE HAIBARGAON HIGH SCHOOL
PIN-782002
DIST. NAGAON
ASSAM

7:ASHOK DAS
S/O. LT. MATHURA DAS
R/O. HAIBARGAON
P.O. HAIBARGAON
PIN-782002
DIST. NAGAON
ASSAM

Advocate for the Petitioner : MS. N DEY,

Advocate for the Respondent : MR A C BORBORA, GA, ASSAM,SC, I O C,MR. M SMITH

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

25.09.2024

Heard Ms. N. Dey, learned counsel for the applicant.

The present application is filed by the applicant who is the widow of respondent No. 7 for substitution of her name in place of deceased respondent No. 7, namely, Girin Das, in the connected writ petition being WP(C) No. 4499/2020 being the legal heir.

The learned counsel for the respondent has not objected to such prayer.

After perusal of the writ petition as well as the pleadings made in this application, this Court is of the considered opinion that right to sue survives upon the legal heir of the deceased respondent No. 7. The name of the legal heir of the respondent No. 7 as mentioned in the cause title of the present application is Moina Das (wife).

Accordingly, the present application is allowed by impleading the applicant as respondent No. 7.

The learned counsel for the applicant is to furnish an amended cause title within a period of five days in terms of this order passed today before the Registry as well as to the learned counsels representing the contesting parties.

Registry to do the needful for correction of the cause title of the connected writ petition being WP(C)/4499/2020.

Accordingly, the present I.A. stands disposed of.

JUDGE

Comparing Assistant