

GAHC010228562024



2024:GAU-AS:12525

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

Case No. : I.A.(Civil)/3448/2024

ON THE DEATH OF HEMALATA DUTTA HER LEGAL HEIR SRI CHIMON
JYOTI DUTTA
SON OF LATE GHANA KANTA DUTTA,
RESIDENT OF HOUSE NO. 3, BYE LANE NO. 1,
NARAKASUR, P.O.- KAHILIPARA, P.S.- DISPUR,
GUWAHATI- 781019, DISTRICT- KAMRUP(M),
ASSAM.

VERSUS

DR. LOHIT KUMAR KALITA
S/O- LATE CHANDRA KANTA KALITA, RESIDENT OF MARRIED DOCTORS
FLAT (QUARTER) NO. DF-B1, GAUHATI MEDICAL COLLEGE CAMPUS, P.O.-
INDRAPUR, GUWAHATI- 781032, DISTRICT- KAMRUP(M), ASSAM.

Advocate for the Petitioner : MR. B K SEN,

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 11-12-2024

Heard Mr. B. K. Sen, learned counsel for the applicant.

The learned counsel for the applicant submits that during the pendency of CRP/184/2023, the petitioner, Hemalata Dutta died on 22.08.2024. In support of his submission, the learned counsel has also annexed the death certificate of the deceased, Hemalata Dutta.

By filing this application under Order 22 Rule 2 read with Section 151 of the Code of Civil Procedure, the applicant prays for substitution of the petitioner, Hemalata Dutta, by her legal heir, Sri. Chimon Jyoti Dutta as the right to sue survives.

The prayer is considered and allowed.

Let the petitioner, Hemalata Dutta, be substituted by her legal heir, Sri. Chimon Jyoti Dutta in CRP/184/2023.

With the above, this IA stands allowed and disposed of.

JUDGE

Comparing Assistant