

GAHC030004602024



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

Case No. : I.A.(Civil)/117/2024

Sh. Zohmangaiha and 7 Ors.
S/o Kapliana (L), R/o Chhing Veng, Aizawl

2: Smt. Ralmanthangi
W/o Zohmangaiha
R/o Chhing Veng
Aizawl

3: Sh. Vanlalpeka (L)
S/o Buallinga (L)
R/b his wife Smt. Manglahluni
R/o Zotlang
Aizawl

4: Sh. Hranglana
S/o Lalhleia
R/o Zotlang
Aizawl

5: Smt. Rothangi
D/o Hauchhing
R/o Zotlang
Aizawl

6: Sh. Lalmunsanga
S/o Kamlova
R/o Zotlang
Aizawl

7: Sh. Vanlalruala Pachuau
S/o Kamlova
R/o Zotlang
Aizawl

8: Smt. Ramneihmawii
D/o Khualluna (L)
R/o Zotlang
Aizaw

VERSUS

The State of Mizoram and 11 Ors.
Represented by the Chief Secretary to the Govt. of Mizoram, Aizawl 2:The
Secretary to the Govt. of Mizoram
Revenue Department
Aizawl

3:The Director
Land Revenue and Settlement
Mizoram
Aizawl

4:Sh. Hmingliana (L) r/b his son Sh. Lalliankima
S/o Chungnunga
R/o Chawnpui
Aizawl

5:Sh. Hauchhawna (L) r/b his son Sh. Vanhela Pachuau
R/o Chaltlang
Aizawl

6:Sh. Zosiama Pachuau
S/o Hauchhawna (L)
R/o Aizawl Venglai
Aizawl

7:Sh. Vanhela Pachuau
S/o Hauchhawna (L)
R/o Chaltlang
Aizawl

8:Sh. Thanchungnunga
S/o Chuauhnuna (L)
R/o Zarkawt
Aizawl

9:Sh. Khualluna
S/o Kapbuaia
R/o Chawnpui
Aizawl

10:Sh. Lalliankima

S/o Hmingliana (L)
R/o Chawnpui
Aizawl

11:Sh. R.C. Rokhuma
S/o Rokunga (L)
R/o Zotlang
Aizawl

12:The Secretary
Presbyterian Church
Zotlang
Aizawl

Advocate for the Petitioner : Mr C Lalramzauva Sr. Adv.

Advocate for the Respondent :

JUDGMENT / ORDER

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

22.07.2024

Heard Mr. C. Lalramzauva, learned Senior counsel assisted by Mr. J. Lalmalsawma, learned counsel for the applicants. Also heard Mr. Victor L. Ralte, learned counsel for the respondent Nos. 5-9 and 11.

2. This application is filed under Order 22 Rule 3, CPC, read with Section 151, CPC for substitution of appellant No. 1 Late Zohmangaiha, by his wife, namely, Smt. Ralmanthangi, who is the appellant No. 2 in the connected appeal.

3. The learned Senior counsel for the applicants submits that the husband of the appellant No.2, who was the appellant No. 1, suffered demise on 20.04.2024, and in support of this contention, the learned Senior counsel has pointed out to the Annexure 1, which is the Death Certificate in respect of the appellant No. 1, enclosed with the application.

4. The learned counsel for the respondent Nos. 5-9 and 11 submits that he has no objection in the event of substitution of the appellant No. 2 in place of appellant No. 1, who suffered demise on 20.04.2024.

5. Having considered the submission of learned Advocates of both sides and also considering the facts and circumstances on the record and also in the interest of justice, this application stands allowed.

6. Accordingly, the name of the appellant No. 2 be substituted in place of appellant No. 1 in the connected appeal. Necessary correction shall be made in the cause title of RFA No. 27/2014.

J U D G E

Comparing Assistant