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

Case No. : I.A.(Civil)/2421/2026

SHRI JAGADISH CH BANIK
S/O SHRI NITYANANDA BANIK
RESIDENT OF SILCHAR ROAD
SRIBHUMI KARIMGANJ TOWN
P.O. KARIMGANJ
DISTRICT SRIBHUMI
ASSAM

VERSUS

SHRI BHOLA NATH MAZUMDAR
S/O LATE PRANONATH MAZUMDAR
RESIDENT OF A.C. SEN ROAD KARIMGANJ TOWN P.O. SRIBHUMI KARIMGANJ DISTRICT SRIBHUMI ASSAM 788710

2:LEGAL REPRESENTATIVES OF LATE SHRI ASHISH MAZUMDAR
A.C. SEN ROAD KARIMGANJ TOWNP.O. SRIBHUMI KARIMGANJ DISTRICT SRIBHUMI ASSAM 788710

2.1:SOMA MAJUMDAR
W/O LATE SHRI ASHISH MAZUMDAR

RESIDENT OF A.C. SEN ROAD KARIMGANJ TOWN P.O. SRIBHUMI KARIMGANJ DISTRICT SRIBHUMI ASSAM 788710

2.2:ANUSHKA MAJUMDAR
D/O LATE SHRI ASHISH MAZUMDAR

RESIDENT OF A.C. SEN ROAD KARIMGANJ TOWN P.O. SRIBHUMI KARIMGANJ DISTRICT SRIBHUMI ASSAM 788710

2.3:SOUMILI MAJUMDAR

D/O LATE SHRI ASHISH MAZUMDAR

RESIDENT OF A.C. SEN ROAD KARIMGANJ TOWN P.O. SRIBHUMI
KARIMGANJ DISTRICT SRIBHUMI ASSAM 788710

3:SHRI UJJAL MAJUMDAR
S/O SHRI BHOLA NATH MAZUMDAR

RESIDENT OF A.C. SEN ROAD KARIMGANJ TOWN P.O. SRIBHUMI
KARIMGANJ DISTRICT SRIBHUMI ASSAM 788710

4:SHRI BHASKAR DAS

S/O LATE REBATI MOHAN DAS

RESIDENT OF BONAMALI ROAD
SRIBHUMI
PO AND DIST SRIBHUMI
ASSAM 788710

Advocate for : MR. P K ROYCHOUDHURY
Advocate for : MR. S C KEYAL appearing for SHRI BHOLA NATH MAZUMDAR

In
CRP Case No. 329/2013

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

09.09.2026

[1] Heard Mr. M. Hussain, the learned counsel for the applicant. Also Mr. D. Mozumder, the learned counsel for the respondent.

[2] This application under Order XXII Rule 9 of the Code of Civil Procedure, 1908 has been preferred by the applicant praying for setting aside of abatement of connected

C.R.P. No. 329/2013 on death of respondent No. 2, namely, Sri Ashish Mazumdar on 22.01.2026.

[3] The learned counsel for the respondent has not opposed the prayer made by the applicant.

[4] After considering the grounds stated in the instant interlocutory application, as well as considering the submission from the learned counsel for both sides, this interlocutory application is allowed and abatement of C.R.P. No. 329/2013 against respondent No. 2, on his death, is hereby set aside and this interlocutory application is allowed.

JUDGE

Comparing Assistant