

GAHC010274592025



2026:GAU-AS:4207

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

Case No. : I.A.(Civil)/4052/2025

ON THE DEATH OF SMTI KAMALA DAS ALIAS KAMALA PRABHA DAS HER
LEGAL REPRESENTATIVES MALABIKA PATHAK

1.2: SUSHIL KUMAR DAS
S/O- LATE BHOLANATH DAS
RESIDENT OF HOUSE NO. 385
TETELIA
NAMGHAR PATH
GUWAHATI-781033

1.3: ARUNIMA SAIKIA
D/O- LATE BHOLANATH DAS
RESIDENT OF FLAT NO. A 4
2ND FLOOR
SONY APARTMENT
BARTHAKUR MILL ROAD
ULUBARI
GUWAHATI- 7.
VERSUS

ON THE DEATH OF SRI ARUP KALITA
HER LEGAL HEIRS/REPRESENTATIVES

1.1.1:SMTI MUNMI BARUAH KALITA

W/O- LATE OF SRI ARUP KALITA

1.1.2:1(II) SRI NILAN KALITA
S/O- LATE OF SRI ARUP KALITA
NO. 1.1II IS MINOR AND AS SUCH HE IS REPRESENTED BY HIS MOTHER
SMTI MUNMI BARUAH KALITA

1.2:SRI SIMANTA KALITA
S/O- LATE MAINA KALITA

1.3:SMTI JURI KALITA DAS
W/O- SRI MONOJ DAS

1.4:SRI JOGESH CHANDRA KALITA
S/O- LATE SANJAY RAM KALITA
ALL ARE RESIDENTS OF VILLAGE- AGCHIYA
P.S. PALASHBARI
DISTRICT- KAMRUPR
ASSAM

2:SMTI JAMUNA KALITA
W/O- SRI GIRISH KALITA
R/O VILLAGE- MIRZA- JAMARHAT
P.S. PALASHBARI
DISTRICT- KAMRUPR
ASSAM

3.1:LEGAL HEIRS REPRESENTATIVES OF CHARU KALITA I) SRI RAHUL
KALITA

S/O- LATE CHARU KALITA
R/O VILLAGE- DHARAMPUR KOCHPARA
P.S. AZARA
DISTRICT- KAMRUPR
ASSAM

3.2:SRI MONOJ KALITA
S/O- LATE CHARU KALITA
R/O VILLAGE- DHARAMPUR KOCHPARA
P.S. AZARA
DISTRICT- KAMRUPR
ASSAM

3.3:SMTI JUNU KALITA
D/O- LATE CHARU KALITA
R/O VILLAGE- DHARAMPUR KOCHPARA
P.S. AZARA
DISTRICT- KAMRUPR
ASSAM

4:SMTI MINU KALITA
W/O- SRI DWIPEN DAS
R/O VILLAGE- JALUKBARI LANKESWAR

P.S. JALUKBARI
DISTRICT- KAMRUP M
ASSAM

Advocate for : MR M HUSSAIN
Advocate for : appearing for ON THE DEATH OF SRI ARUP KALITA

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 23-03-2026

Learned counsel Mr. N. Haque is present for the applicants, who has filed this application under Order XXII Rule 9 of the Code of Civil Procedure, 1908 for setting aside the abatement of the appeal on the death of the appellant Kamala Das @ Kamala Prabha Das.

2. Learned counsel Mr. B.K. Sarma for the respondents has raised no objection.

3. I have considered the submissions at the bar. The abatement is hereby set aside.

4. In terms of the above observation, this application is disposed of.

JUDGE

Comparing Assistant