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

Case No. : I.A.(Civil)/3432/2026

ABHAY SHANKAR HAGJER
S/O LATE ARUN KUMAR HAGJER, R/O VILL. HATIKHALI GARDEN, P.O. HATIKHALI, DIST. DIMA HASAO, ASSAM.

VERSUS

THE DIMA HASAO AUTONOMOUS COUNCIL AND ORS
REPRESENTED BY THE PRINCIPAL SECY. HFALONG DIST. DIMA HASAO, ASSAM.

2:THE PRINCIPAL SECRETARY
DIMA HASAO AUTONOMOUS COUNCIL
HAFLONG
DIST. DIMA HASAO
ASSAM.

3:THE SECRETARY IC REVENUE (E)
N C HILLS AUTONOMOUS COUNCIL
HAFLONG

4:THE CHAIRMAN
NATIONAL HIGHWAY AUTHORITY OF INDIA
G 5 AND 6 SECTOR 10
DWARKA
NEW DELHI 110075

5:THE PROJECT DIRECTOR
NATIONAL HIGHWAY AUTHORITY OF INDIA
PROJECT IMPLEMENTATION UNIT
LAMDING
DIST. NAGAON
ASSAM.

6:THE DEPUTY COMMISSIONER CUM COLLECTOR
DIMA HASAO DIST. HAFLONG
DIST. DIMA HASAO
ASSAM

Advocate for the Petitioner : MR. D GOGOI,

Advocate for the Respondent : GA, ASSAM, SC, NHAI

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 12.10.2026

Heard Mr. D. Gogoi, learned counsel for the applicant; Ms. P. Chakraborty, learned Standing Counsel, Dima Hasao Autonomous Council for the opposite party nos. 1, 2 & 3; Mr. R. Boro, learned counsel on behalf of Mr. C. Boro, learned Standing Counsel, NHAI for the opposite party nos. 4 & 5; and Mr. H.K. Hazarika, learned Junior Government Advocate, Assam for the opposite party no. 6.

2. The applicant herein is the son of one Late Arun Kumar Barman.

3. Late Arun Kumar Barman had preferred the connected writ petition, W.P.[C.] no. 6490/2021 to assail an Order dated 26.06.2019 passed by the opposite party no. 3 herein whereby the claim of the writ petitioner, Arun Kumar Barman for enhancement of land acquisition compensation was rejected. The connected writ petition is pending as on date.

4. The instant interlocutory application is preferred by the applicant seeking substitution of the writ petitioner, Late Arun Kumar Barman by him on the ground that after the death of Arun Kumar Barman on 08.07.2026, the right to sue survives and the applicant being the legal heir of the deceased writ petitioner, is to be substituted in place of the deceased writ petitioner.

5. The learned counsel appearing for the opposite parties have submitted that having

regard to the claim made in the connected writ petition and the fact that Arun Kumar Barman expired on 08.07.2026, they have no objection if the instant application for substitution of the applicant in place of the deceased writ petitioner is allowed.

6. Having regard to the fact that the applicant is a son of deceased writ petitioner, Late Arun Kumar Barman who expired on 08.07.2026, and considering the projection made that the right to sue has survived after the demise of the of the previous writ petitioner, the instant interlocutory application for substitution is allowed.

7. The Registry to carry out the necessary corrections in the accompanying writ petition in terms of this Order.

JUDGE

Comparing Assistant