

GAHC010241242025



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

Case No. : RSA/26/2019

SRI SUBRATA ROY @ KHUKON ROY AND ANR
S/O LATE SUNIL RANJAN ROY

RESIDENT OF STATION ROAD
KARIMGANJ TOWN
DIST KARIMGANJ
ASSAM

2: SRI SATYABRATA DAS @ BACCHU
S/O LATE SUNIL RANJAN ROY

RESIDENT OF STATION ROAD
KARIMGANJ TOWN
DIST KARIMGANJ
ASSAM
VERSUS

STATE OF ASSAM AND 24 ORS
REPRESENTED BY THE DEPUTY COMMISSIONER
KARIMGANJ
PO
PS AND DIST KARIMGANJ
ASSAM

2: THE DEPUTY COMMISSIONER
KARIMGANJ
PO AND DIST KARIMGANJ

3: THE SUB DEPUTY COLLECTOR
KARIMGANJ
PO PS AND DIST KARIMGANJ

4: ON THE DEATH OF BROJO GOPAL DAS

HIS LEGAL HEIRS.

4.1:SWAPNA DAS
W/O LATE BROJO GOPAL DAS

RESIDENT OF BONOMALI ROAD
KARIMGANJ TOWN
WARD NO. 14
PO PS AND DIST KARIMGANJ

4.2:RAJA GONESH DAS
S/O LATE BROJO GOPAL DAS

RESIDENT OF BONOMALI ROAD
KARIMGANJ TOWN
WARD NO. 14
PO PS AND DIST KARIMGANJ

4.3:BISWA DAS
S/O LATE BROJO GOPAL DAS

RESIDENT OF BONOMALI ROAD
KARIMGANJ TOWN
WARD NO. 14
PO PS AND DIST KARIMGANJ

5:BASU GOPAL DAS

S/O LATE HARE KRISHNA DAS
RESIDENT OF BONOMALI ROAD
KARIMGANJ TOWN
WARD NO. 14
PO PS AND DIST KARIMGANJ

6:GOUR GOPAL DAS
S/O LATE HARE KRISHNA DAS
RESIDENT OF BONOMALI ROAD
KARIMGANJ TOWN
WARD NO. 14
PO PS AND DIST KARIMGANJ

7:NARAYAN CHANDRA DAS
S/O LATE HARE KRISHNA DAS

RESIDENT OF BONOMALI ROAD
KARIMGANJ TOWN
WARD NO. 14
PO PS AND DIST KARIMGANJ

8:DHRUBA GOPAL DAS

S/O LATE HARE KRISHNA DAS
RESIDENT OF BONOMALI ROAD
KARIMGANJ TOWN
WARD NO. 14
PO PS AND DIST KARIMGANJ

9:SANJIB DAS
S/O LATE HARE KRISHNA DAS
RESIDENT OF BONOMALI ROAD
KARIMGANJ TOWN
WARD NO. 14
PO PS AND DIST KARIMGANJ

10:RADHA RANI DAS
D/O LATE HARE KRISHNA DAS OF BIPINPAL ROAD
KARIMGANJ TOWN
PO
PS AND DIST KARIMGANJ. ASSAM

11:BIVA DAS BARMAN
D/O LATE HARE KRISHNA DAS

W/O SRI DHIRENDRA DAS BARMAN OF NIVA PALLY
KUMARGHAT
PO KUMARGHAT
DIST KUMARGHAT
TRIPURA

12:TULSI RANI DAS

D/O LATE HARE KRISHNA DAS

W/O SUNIL CHANDRA DAS

HOSPITAL ROAD
NAWGAON
PO AND DIST NAWGAON
ASSAM

13:TAPATI DAS PODDAR

D/O LATE HARE KRISHNA DAS

W/O SWAPAN DAS PODDAR OF 12 RAMKRISHNA UPANIBESH
JADAHPUR
KOLKATTA WEST BENGAL.

14:JHUMA RANI PATIL

D/O LATE HARE KRISHNA DAS

W/O SRI BIPUL PATIL OF MANAGHAT(NEAR MARKET)
PO MANAGHAT
TRIPURA.

15:SNEHA DAS

W/O LATE SHYAMAL DAS

OF SUBASH NAGAR
KARIMGANJ TOWN
PO
PS AND DIST KARIMGANJ
ASSAM

16:RATAN DAS

S/O LATE SHYAMAL DAS

OF SUBASH NAGAR
KARIMGANJ TOWN
PO
PS AND DIST KARIMGANJ
ASSAM

17:DIPALI DAS

D/O LATE SHYAMAL DAS

OF SUBASH NAGAR
KARIMGANJ TOWN
PO
PS AND DIST KARIMGANJ
ASSAM

18:SHAMBHUNATH BANIK

S/O LATE ASHUTOSH BANIK

OF OLD STATION ROAD
KARIMGANJ

PO
PS AND DIST KARIMGANJ
ASSAM

19:SHANKAR PRASAD BANIK
S/O LATE ASHUTOSH BANIK

OF DESOBONDHU ROAD
HOSPITAL ROAD
SILCHAR
5 PO
PS SILCHAR
DIST CACHAR ASSAM

20:CHANDRA SEKHAR BANIK
S/O LATE ASHUTOSH BANIK

OF DESOBONDHU ROAD
HOSPITAL ROAD
SILCHAR
5 PO
PS SILCHAR
DIST CACHAR ASSAM

21:SWAPNA DUTTA
D/O LATE ASHUTOSH BANIK
W/O PRABIR DUTTA
STATION ROAD
ARUNACHAL DIST 24 PORGONA
WEST BENGAL

22:UMA RANI BANIK
W/O LATE SHYAMAL BANIK
C/O MODERN POLYTHENE FACTORY
PO SILCHAR-1.PS SILCHAR
DIST CACHAR
ASSAM

23:RUMELA BANIK
D/O LATE SHYAMAL BANIK
C/O MODERN POLYTHENE FACTORY
PO SILCHAR-1.PS SILCHAR
DIST CACHAR
ASSAM

24:PAMELA BANIK
D/O LATE SHYAMAL BANIK

C/O MODERN POLYTHENE FACTORY
PO SILCHAR-1.PS SILCHAR
DIST CACHAR
ASSAM

25:RUNITA BANIK
W/O LATE SHYAMAL BANIK
C/O MODERN POLYTHENE FACTORY
PO SILCHAR-1.PS SILCHAR
DIST CACHAR
ASSAM

Advocate for : MR. P K ROY
Advocate for : GA
ASSAM appearing for STATE OF ASSAM AND 24 ORS

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

05.12.2025

- 1.** Heard Mr. S.K. Chakraborty, the learned counsel for the appellants. Also heard Ms. S. Choudhury, the learned counsel appearing on behalf of Mr. M.H. Laskar, the learned counsel for the respondent Nos. 4.1, 4.2 and 4.3, 5 to 7, 8 to 10 and 14 to 16. Also heard Mr. T.R. Gogoi, the learned Government Advocate for the respondent Nos. 1 to 3.
- 2.** The learned counsel for the appellants has submitted that the appellants has filed an Interlocutory Application, which is registered as I.A. (Civil) No. 3506/2025 wherein, a prayer has been made for allowing the appellants to take steps for issuance of notice upon the respondent Nos. 11, 13, 17, 18, 20, 22, 24 and 25 as in spite of repeated attempts the service of notice upon the aforesaid respondents could not be effected.
- 3.** The learned counsel for the respondents does not have any

objection to the said prayer.

4. After considering the Office Note as well as report of the process server in respect of notices issued to the respondent Nos. 11,13,17,18, 20, 22, 24 and 25, it appears that the notice could not be served on the aforesaid respondents for various reasons. Therefore, the appellants is allowed to take steps for issuance of notice upon the aforesaid respondents by substituted mode of publishing the notice in two newspaper circulated in the media where the aforesaid respondents are stated to have resided.

5. The appellants, are accordingly, directed to take steps for issuance of notice through substituted mode by publishing the notice in two newspaper within 15(fifteen) days from the date of this order.

6. The date of appearance to be mentioned in the notice shall be 22nd January, 2026.

7. List accordingly.

JUDGE

Comparing Assistant