

GAHC010023442021



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

Case No. : WP(C)/860/2021

MONOWAR HUSSAIN
S/O. SAMSER ALI, VILL. ND P.O. PABARSARA, P.S. AGOMONI, DIST.
DHUBRI, ASSAM.

VERSUS

THE STATE OF ASSAM AND 7 ORS
THROUGH THE PRINCIPAL SECY., TO THE GOVT. OF ASSAM, PANCHAYAT
AND RURAL DEVELOPMENT DEPTT., DISPUR, GUWAHATI-781006.

2:THE COMMISSIONER

PANCHAYAT AND RURAL DEVELOPMENT DEPTT.
JURIPAR
GUWAHATI-781037.

3:THE DY. COMMISSIONER

DHUBRI DISTRICT
DHUBRI
PIN-783301.

4:THE CHIEF EXECUTIVE OFFICER

ZILLA PARISHAD
DHUBRI
PIN-783301
DIST. DHUBRI
ASSAM.

5:THE BLOCK DEVELOPMENT OFFICER

AGOMMONI DEVELOPMENT BLOCK
AGOMONI
PIN-783335
DIST. DHUBRI
ASSAM.

6:THE SECRETARY

SINDURAI GAON PANCHAYAT
SINDURAI
P.O. BELGURI
P.S. AGOMONI
PIN-783335
DIST. DHUBRI
ASSAM.

7:THE PRESIDENT

SINDURAI GAON PANCHAYAT
SINDURAI
P.O. BELGURI
P.S. AGOMONI
PIN-783335
DIST. DHUBRI
ASSAM.

8:JAHANGIR HUSSAIN

S/O. JAHAR ALI
R/O. VILL. SINDURAI
PART-II
P.O. BELGURI
P.S. AGOMONI
PIN-783335
DIST. DHUBRI
ASSAM

Advocate for the Petitioner : MR. A DAS

Advocate for the Respondent : SC, PNRD

**BEFORE
JOINT REGISTRAR (JUDL.)- MR. ARUP JYOTI BAISHYA**

ORDER

Date : 27.07.2022

Case taken up before the Lawazima Court.

None appears for the petitioner.

The office note dated 21.06.2022 reveals that the notice was issued to the respondent nos. 6, 7 and 8 by registered post with A/D on 24.02.2021.

Learned counsels have appeared in respect of the respondent no. 8 by filing Vakalatnama. As such, service is deemed to be completed in respect of the said respondent.

The A/D card in respect of the respondent no. 6 has been received back with the purported signature of the respondent. As such, service is deemed to be completed in respect of the said respondent.

However, in respect of the respondent no. 7, neither the A/D card nor the un-served notice has been received back.

Now, a perusal of the Postal Journal indicates that the registered notice dated 24.02.2021 was issued to the respondent no. 7 in the address as mentioned in the cause title of the petition and as more than 30 (thirty) days have passed since issuance of the notice, hence, in view of Section 27 of General Clauses Act 1897 read with Order 5, Rule 9, Sub.Rule 5 (proviso) of the CPC, notice may be deemed to be served upon the said respondent.

In view of the above, the matter may be placed before the Hon'ble Court.

Joint Registrar (Judicial)

Comparing Assistant