

GAHC010049212021



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

Case No. : WP(C)/1830/2021

HARISH PEGU AND ANR.

S/O- LT. BILASH PEGU, R/O- VILL- JIADHAL CHARIALI, P.O. JIADHAL, P.S.
DHEMAJI, DIST.- DHEMAJI, ASSAM, (PIN 787057), MEMBER OF
GOVERNING BODY OF JIADHAL COLLEGE, DHEMAJI

2: UMESH PEGU

S/O- TARAPRASHAD PEGU

R/O- VILL- JIADHAL TINI GHARIA

P.O. JIADHAL

P.S. DHEMAJI

DIST.- DHEMAJI

ASSAM

(PIN 787057)

MEMBER OF GOVERNING BODY OF JIADHAL COLLEGE

DHEMAJ

VERSUS

THE STATE OF ASSAM AND 5 ORS.

REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, EDUCATION
(HIGHER) DEPTT., DISPUR, GHY-6

2:THE DIRECTOR OF HIGHER EDUCATION

ASSAM

KAHILIPARA

GHY-19

4:THE DY. COMMISSIONER

DHEMAJI

P.O. DHEMAJI

ASSAM

5:THE PRESIDENT

GOVERNING BODY

JIADHAL COLLEGE
P.O. JIADHAL
PIN- 787057

6:SHRI BANI KANTA PEGU
JIADHAL COLLEGE
P.O. JIADHAL
PIN- 78705

Advocate for the Petitioner : MRS. K DEVI, MS S A KHALIFA

Advocate for the Respondent : GA, ASSAM, MS. R R SAIKIA,MR. U DUTTA (r-6),SC, HIGHER
EDU

BEFORE
JOINT REGISTRAR (JUDL.) MR. CHINMOY BARUAH

ORDER

Date : 22.05.2025

Case taken up before the Lawazima Court.

Learned counsel Ms. S.A. Khalifa appears on behalf of the petitioners. Heard.

Perused the records.

Perusal of the office note dated 22.05.2025 reveals that the notice was issued to the respondent No. 5 by registered post with A/D as well as by usual Court process on 22.09.2023.

Now, in respect of the aforesaid notices issued to the respondent No. 5, it has been observed as follows:–

In respect of the notice issued through registered post with A/D:– In this regard, it appears that neither the A/D card nor any un-served notice has been received by the concerned section till date.

In addition to the aforesaid, it appears that the postal track consignment report regarding the aforementioned notice is also not available at the Indian Post website.

In respect of the notice issued through usual Court process:– In this regard, it

has been observed that the service report of the notice issued to the respondent No. 5 has been received, wherein, it has been stated that the said respondent **(i.e., The President, Governing Body, Jiadhal College)** was not available at the given address and as such the notice was received by the lecturer of the Jiadhal College, namely, “**Khagen Doley**”, on his absence.

In view of the observations made above, it may be said that the notice issued through usual process has been duly served upon the respondent No. 5. As such, it may be said that **service in respect of the said respondent (respondent No. 5) has been completed.**

Accordingly, the matter may be placed before the Hon’ble Court.

Joint Registrar (Judicial)

Comparing Assistant