

GAHC010050002026



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

Case No. : Tr.P.(C)./26/2026

JAHIRA SULTANA BARBHUIYA AND 3 ORS.
D/O. LATE ABDUL KUDDUSBARBHUIYAR/O. VILLAGE SORAIL,P.O.
KRISHNAPUR, SILCHAR,P.S. BORKHOLA,DISTRICT CACHAR, ASSAM.
-788110

2: FATIMA BEGUM BARBHUIYA

W/O. LATE ABDUL KUDDUSBARBHUIYA
R/O. VILLAGE SORAIL
P.O. KRISHNAPUR
SILCHAR
P.S. BORKHOLA
DISTRICT CACHAR
ASSAM.-78811

3: ABDUL GOFUR LASKAR

S/O. LATE SAIDUR RAHMANLASKAR
R/O. BURIBAIL
P.O. TATHAPIPARA
P.S. BORKHOLA
DISTRICT CACHAR
ASSAM.-788110

4: RINA BEGUM

W/O. LATE FAYAJUR RAHMAN
R/O. VILLAGE BURIBAIL
P.S. BORKHOLA
DISTRICT CACHAR
ASSAM
PIN78811

VERSUS

ABDUL BASIT LASKAR,
S/O. LATE ABDUL MUSABBIR LASKAR, R/O. VILLAGE SYEDBOND PART
-I.P.S. ALGAPUR, DISTRICT HAILAKANDI, ASSAM.-788025

Advocate for the Petitioner : MR. JUNM LASKAR, MS. J GHOSH

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 01.06.2026

Heard Ms. J. Ghosh, learned counsel for the petitioners.

2. As per office note dated 18.05.2026, in respect of the process server's report, it is mentioned that the process servers could not find the person in the given address and the local residents has informed the process server that respondent had left to Bangalore 7 (seven) years earlier. As per notice issued by speed post, the same are returned back with remark "Refused Return to Sender".

3. However, it is submitted that the respondent is appearing in the proceedings of CR (DV Act) Case No. 136/2025, which is pending for disposal before the learned Chief Judicial Magistrate, Cachar, Silchar.

4. Therefore, taking into consideration the postal remark of refusal by the respondent to accept notice, the notice is deemed to be duly served on the respondent.

5. However, for ends of justice, the Court is inclined to direct the petitioners to produce a certified copy of the order dated 30.03.2026, passed in

this transfer petition before the Court of learned District Judge, Hailakandi in the proceedings of T.S. (Restitution) No. 44/2025 along with a petition to bring the order to the notice of the said learned Court. This would also constitute deemed notice of this order to the respondent who is the petitioner in the said proceeding.

6. The learned counsel for the petitioners shall produce the receipt copy of the petition by which the certified copy of the order dated 30.03.2026 was produced before the learned Trial Court.

7. List this matter again on 17.06.2026 for further consideration.

JUDGE

Comparing Assistant