

GAHC010064022026



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

Case No. : I.A.(Civil)/1061/2026

GAUHATI HIGH COURT AND 2 ORS.
REPRESENTED BY THE REGISTRAR GENERAL, GAUHATI HIGH COURT,
GUWAHATI, M.G. ROAD, PIN- 781001, ASSAM.

2: THE REGISTRAR GENERAL
GAUHATI HIGH COURT
M.G. ROAD
UZAN BAZAR
GUWAHATI- 781001

3: THE REGISTRAR ESTABLISHMENT
GAUHATI HIGH COURT
M.G. ROAD
UZAN BAZAR
GUWAHATI- 78100

VERSUS

JAHIRUL ISLAM 16 ORS.
SON OF LATE MAHABBAT ALI, HOUSE NO. 14, BAGHORBORI ROAD,
PANJABARI, GUWAHATI- 781037, KAMRUP METRO, ASSAM, PIN- 781037

2: THE STATE OF ASSAM
REP. BY THE LEGAL REMEMBRANCER AND SECRETARY TO THE GOVT.
OF ASSAM
JUDICIAL DEPARTMENT
DISPUR
GUWAHATI-06

3: BIDYUT BIKASH GOSWAMI
SON OF SRI GIRISH CH. GOSWAMI/O VILLAGE CHAMARKUCHI
P.O.-SANEKUCHI
PS AND DIST.- NALBARI
ASSAM

PIN-781350.

4:HITESH CHANDRA DAS
S/O- SRI J. C. DAS R/O- NABAGRAHA ROAD
SILPUKHURI
GUWAHATI
KAMRUP (M)
ASSAM
PIN-781003

5:SRI ROBERT LALPIANGA NAMPUI
S/O- DAVID SINGA NAMPUI

R/O- GOLDLAND VILLA
NEAR POWER HOUSE
HALFLONG
DIST-DIMA HASAO
ASSAM PIN-788819

6:GAUTAM KUMAR DAS
S/O- SRI TILAK DAS R/O- VILL- BORKHOPA
P.O.
P.S AND DIST.- TAMULPUR
ASSAM PIN-781367

7:GEETANJALI MAYOUR
R/O-PUB SARANIA
BYE LANE 1 (WEST)
GUWAHATI
KAMRUP (M)
ASSAM
PIN-781003

8:KRISHNA SAIKIA
S/O-LT. DIMBESWAR SAIKIA R/O- PUBERUN APARTMENT
NIRIBILI PATH
GHORAMARA
P.O.- BELTOLA
GUWAHATI
KAMRUP(M)
ASSAM pin-781028

9:ANJUM BORAH
S/O-LATE GUNA KANTA BORAH
R/O- HOUSE NO. 11
ASHOK PATH
JATIA
KHAHILIPARA ROAD

GUWAHATI
KAMRUP (M)
ASSAM
ASSAM PIN-781006

10:MAITRYE DEVI
WIFE OF DR. P.P. TALUKDAR R/O- HOUSE NO. 115
NIZARAPAR
BIRUBARI
GUWAHATI
KAMRUP (M)
ASSAM
PIN-781016

11:RAKESH DAS
S/O- LATE JOYDEV DAS
R/O- HOUSE NO. 21
AJOYDHYA PATH
JANAKPUR
JATIA
GUWAHATI
ASSAM
PIN-781019

12:JAMES LALSANDAM NEINGAITE
S/O- LATE NAGAIKHUMSIEK NEINGAITE
R/O- C/O K.K. DAS
HOUSE NO. 20
MANIMMUGHDHA NAGAR
CHACHAL
VIP ROAD
SIX MILE
GUWAHATI
KAMRUP (M)
ASSAM
PIN-781011.

13:PARTHA SAIKIA
S/O- SONTI RAM SAIKIA
R/O- MILAN NAGAR
BYE LANE NO.4
MALIGAON
GUWAHATI
KAMRUP (M)
ASSAM
PIN-781011

14:AHMADUL ALA

S/O- LATE ABDUL KADER
R/O- HOUSE NO. 31
ANUPAM NAGAR
HATIGAON
GUWAHATI
KAMRUP (M)
ASSAM
PIN-781038

15:UTPAL BURAGOHAIION
S/O-LATE PUNARAM BURAGOHAIN
R/O- HAPPY VILLA
UZANBAZAR
GUWAHATI
KAMRUP(M)
ASSAM
PIN-781003.

16:MOUSHUMI CHOUDHURY
WIFE OF LATE DEBOJIT DAS
R/O-S.C. GOSWAMI ROAD
PANBAJAR
GUWAHATI
KAMRUP(M)
ASSAM-781001.

17:RITUPARNA DAS
S/O- LATE MOHAN CHANDRA DAS R/O- VILL- GOPALPUR
P.O.-MIRZA
DIST.-KAMRUP(M)
ASSAM
ASSAM
PIN-78112

Advocate for the Petitioner : MR H K DAS, SC, GHC

Advocate for the Respondent : GA, ASSAM,

**BEFORE
JOINT REGISTRAR (JUDL.) MR. CHINMOY BARUAH**

ORDER

Date : 17.07.2026

Case taken up before the Lawazima Court.

Learned counsel Mr. N. Sarma appears on behalf of Mr. H.K. Das, learned counsel for the appellants. Heard.

Perused the records.

A perusal of the instant case record reveals that notice was issued to the respondent No. 1 through *dasti mode* on 21.04.2026. Further, notices were also issued to the respondent Nos. 1 to 17 by speed post mode on 21.04.2026.

Now, regarding the aforementioned notices issued to the respondents, it has been observed as follows:—

Respondent No. 1:— *In respect of the notices issued to the said respondent, it appears as follows:—*

(i) No A/D card or un-served notice has been received in respect of the notice issued through speed post mode.

(ii) In respect of the notice issued through dasti mode, it appears that an affidavit has been filed. In this affidavit, it has been inter alia stated that a copy of the interlocutory application has been served upon the respondent No. 1 on 03.05.2026, who acknowledged the receipt of the notice.

In view of the above, it may be said that **service of notice upon the respondent No. 1 has been completed.**

Respondent Nos. 2 to 6, 8 to 12, 14, 16 & 17:— *In regard to the notices issued to the said respondents, it appears that neither the A/D cards nor any un-served notices have been received by the Registry till date. However, this Lawazima Court has observed as follows:—*

(i) Among the aforementioned respondents, it appears that the postal track consignment reports for the notice sent via speed Post to the respondent Nos. 2 to 6, 8 to 12 & 14 have been procured and annexed to the case record at **Flag-'TC' in the Part-I file**. These tracking reports reflect that the notices issued to the respondent Nos. 2 to 6, 8 to 12 & 14 were delivered to the addressees on the dates mentioned below:–

On 23.04.2026:– Notices were delivered to the respondent Nos. 2, 3, 4, 8, 10 & 12.

On 24.04.2026:– Notices were delivered to the respondent Nos. 9, 11 & 14.

On 25.04.2026:– Notice was delivered to the respondent No. 6.

On 27.04.2026:– Notice was delivered to the respondent No. 5.

In view of the observations made above, it may be presumed that **service of notice upon the respondent Nos. 2, 3, 4, 5, 6, 8, 9, 10, 11, 12 & 14 has been completed**.

(ii) As for the notices issued to the respondent Nos. 16 & 17, it appears that the postal tracking numbers are not available with the case record and as such, the tracking details regarding the said notice could not be procured by this Lawazima Court.

Considering the above, **the concerned section is directed to take the necessary steps to procure the postal journal and postal tracking report regarding the notices issued to Respondent Nos. 16 & 17 and place these reports in the case record prior to the listing of the instant case before the Hon'ble Court on 20.07.2026**

Respondent Nos. 7, 13 & 15:– Furthermore, in respect of the notice issued to the said respondents, it appears that the notices have been received un-served by the Registry bearing the following postal remarks:–

Respondent No. 7:– “**RTS, Addressee is not found, Insufficient address**”.

Respondent No. 13:– “**Addressee cannot be located**”.

Respondent No. 15:– “**ISA, RTS**”.

In light of the observations made above, **this Lawazima Court is of the view that**

the appellants shall take requisite steps for obtaining necessary instructions regarding the addresses of the respondent Nos. 7, 13 & 15.

Apart from above observations, it is observed that the matter has been fixed by the Hon'ble Court for listing on 20.07.2026. Pursuant to the said order, the matter is laid before the Hon'ble Court.

Joint Registrar (Judicial)

Comparing Assistant