

GAHC010074302023



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

Case No. : WP(C)/2011/2023

CHANU ALI AND ANR
S/O- LATE GAPHUR ALI, R/O- VILL- BARBARI, P.O. SARUPETA, MOUZA-
HASTINAPUR, P.S. PATACHARKUCHI, DIST.- BARPETA, ASSAM, PIN- 781318

2: MANOWAR ALI
S/O- MAKBIL ALI
R/O- VILL- BARBARI
P.O. SARUPETA
MOUZA- HASTINAPUR
P.S. PATACHARKUCHI
DIST.- BARPETA
ASSAM
PIN- 78131

VERSUS

THE UNION OF INDIA AND 6 ORS
NOTICE THROUGH THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY
OF HOME AFFAIRS, SHASTRI BHAWAN, TILOK MARG, NEW DELHI-1

2:THE ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN
ASHOKA ROAD
NEW DELHI- 110001

3:THE STATE OF ASSAM
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM
HOME DEPTT.
DISPUR
GHY-6

4:THE CHIEF ELECTORAL OFFICER
ASSAM
ELECTION DEPTT.

4TH BLOCK
ASSAM SECRETARIAT
DISPUR
GHY-6

5:THE DEPUTY COMMISSIONER
BARPETA AT BARPETA

6:THE ELECTION OFFICER
BAJALI AT PATHSALA

7:HEMASHRI KHANIKAR
ELECTION OFFICER
BAJALI AT PATHSALA
P.O. PATHSALA
DIST.- BARPETA
ASSAM
PIN- 78132

Advocate for the Petitioner : MR. U K DAS, MS. B D SARMAH

Advocate for the Respondent : DY.S.G.I., SC, ELECTION COMMISSION.,GA, ASSAM

BEFORE
DEPUTY REGISTRAR (BENCH) - MR. SAPTARSHI DAS

ORDER

Date : 06.05.2025

Case taken up before the Lawazima Court.

Learned counsel Ms. H. Thakuria appears on behalf of the petitioner. Heard.

Perused the records.

Perusal of the instant case record reveals that the notice was issued to the respondent No. 7 by registered post with A/D on 27.04.2023.

However, in respect of the aforesaid notice issued to the respondent No. 7, it has been observed that neither the A/D card nor any un-served notice has been received by the concerned section as of yet. In addition to the aforesaid, it appears that the postal track consignment details regarding the notice issued to the said respondent is also not available at the Indian Post Website.

In view of the above, the petitioner is directed to take fresh steps for service of notice upon the respondent No. 7 by registered post with A/D as well as by usual Court process through the office of the learned Civil Judge (Junior Division), Barpeta, within 7 (seven) days from the date of this order.

Further, it has been observed that a mention has been allowed by the Hon'ble Court for listing of the instant matter on 08.05.2025. As such, the matter is laid before the Hon'ble Court.

Deputy Registrar (Bench)

Comparing Assistant