

GAHC010077022025



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

Case No. : WP(C)/2044/2025

JIYAU PASA
S/O LT SALIM PASA NALBARI TOWN WARD NO 8 PO AND PO NALBARI
DIST NALBARI ASSAM 781335

VERSUS

THE STATE OF ASSAM AND ORS
REP BY THE SPECIAL COMMISSIONER AND SPECIAL SECRETARY TO THE
GOVT OF ASSAM PUBLIC WORKS ROADS DEPTT DISPUR GUWAHATI 6

2:THE CHIEF ENGINEER
PWD (ROADS)
CHANDMARI
GUWAHATI-3
DIST-KAMRUP (M)
ASSAM

3:THE SUPERINTENDENT ENGINEER

PWD
NALBARI ROAD CIRCLE
NALBARI
ASSAM
PIN-781335

4:THE EXECUTIVE ENGINEER

PWD
NALBARI DISTRICT TERRITORIAL ROAD DIVISION
NALBARI
ASSAM
PIN-781335

5:MRINAL JYOTI NATH
MAJARHATI
BARPETA
ASSAM
PIN-78130

Advocate for the Petitioner : MD S HOQUE, MS B A AHMED,MR. M DEKA

Advocate for the Respondent : SC, P W D,

BEFORE
DEPUTY REGISTRAR (BENCH) - MR. SAPTARSHI DAS

ORDER

Date : 13.03.2026

Case taken up before the Lawazima Court.

None appears on behalf of the petitioner.

Perused the records.

The case record of the instant petition has been carefully perusal and upon such perusal, it has been observed that the Hon'ble Court vide its order dated 25.02.2026 was pleased to direct the Registry to list the matter before the Lawazima Court to ascertain the status of service of notice upon the respondent No. 5 and to place a report regarding the above.

In view of the said order of the Hon'ble Court, the matter is listed today with an office note dated 12.03.2026. From the said office note, it may be discerned that the petitioner has filed an affidavit **(at Flag-'C')** in regard to the notice issued through *dasti mode* to the respondent No. 5.

In the said affidavit, the petitioner has stated that the said respondent No. 5 was approached for serving a copy of the Writ Petition through Dasti Service on 19/05/2025 but the said respondent refused to accept the notice.

As per the averments made above, it may be discerned that the service of *dasti notice* could not be effected upon the respondent No. 5.

Apart from above, it may be mentioned that the notice was also issued to the said respondent No. 5 by way of registered post with A/D, however, it appears that the earlier Lawazima Court vide its order dated 02.06.2025 had observed that the said notice has been received un-served by the Registry with the following postal remark:—“**Insufficient Add so RTS**”.

In light of the observation made above, it may be stated that the service of notice upon the respondent No. 5 could not be completed.

Further, it has been observed that the matter has been fixed by the Hon’ble Court for listing on 16.03.2026. Accordingly, the matter is laid before the Hon’ble Court.

Deputy Registrar (Bench)

Comparing Assistant