

GAHC010088782020



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

Case No. : MACApp./173/2020

NATIONAL INSURANCE COMPANY LIMITED
REGISTERED HEAD OFFICE AT 3, MIDDLETON STREET, CALCUTTA 700071,
REPRESENTED BY THE DEPUTY MANAGER, GAUHATI REGIONAL OFFICE,
BHANGAGARH, GUWAHATI 781005

VERSUS

SRI MOHAN MITAI AND 5 ORS
S/O LATE BINOD MITAI, R/O NO. 1 LAKHI NAGAR, P.O.SARUPATHAR, P.S.
URIAM GHAT , DIST. GOLAGHAT, ASSAM, PIN 785601

2:SHRIRAM GENERAL INSURANCE CO. LTD.
E-8 EPIPRIICO
INDUSTRIAL AREA SITA PURA JAIPUR
P.O. BILWA
P.S. RAJASTHAN
DIST. JAIPUR
RAJASTHAN
PIN 302022

3:SAROJ JAISWAL
W/O SRI RAJKUMAR JAISWAL
R/O WARD NO. 8 KESWAPUR
P.O. AND P.S. SHAJANWA
DIST. SHAJANWA
GORAKHPUR
UTTAR PRADESH
PIN 273209

4:TH. CHANDRA SING
S/O LT. TH. ANANDA SINGH
R/O VILL. PUB NANDAPUR

P.O. AND P.S. HOJAI
DIST. NAGAON
ASSAM
PIN 782435

5:UMESH CH. BISWAS
S/O LATE DINESH BISWAS
R/O SARADHAPALLY
P.O. JALPAIGURI
P.S. BHAKTI NAGAR
DIST. JALPAIGURI
PACHIMPANGA
WEST BENGAL
PIN 735101

6:L. ACHOU MITAI
S/O SRI MOHAN MITAI
R/O NO. 1 LAKHI NAGAR
P.O. SARUPATHAR
P.S. URIAM GHAT
DIST. GOLAGHAT
ASSAM
PIN 78560

Advocate for the Petitioner : MS. R D MOZUMDAR, MS. C MOZUMDAR, MR. S P SHARMA

Advocate for the Respondent : MS. P BORTHAKUR, MR. R GOSWAMI

BEFORE
DEPUTY REGISTRAR (BENCH) - MR. SAPTARSHI DAS

ORDER

Date : 11.12.2025

Case taken up before the Lawazima Court.

Learned counsel Mr. S.P. Sharma appears on behalf of the appellant. Heard.

Perused the records.

From a careful perusal of the instant case record, it may be observed that the Hon'ble Court vide its order dated 26.06.2020 had directed the appellant to take fresh steps for service of notice upon the respondent Nos. 1 to 6 by way of registered post with A/D and by usual process.

However, a perusal of the office note dated 05.12.2025 reveals that the appellant took fresh steps for issuance of notice through registered post with A/D only, which was issued to the respondent Nos. 1 to 6 on 22.09.2020.

But, in regard to the said notice, it appears that:—

(i) Neither the A/D cards nor any un-served notices have been received in respect of the notice issued to the respondent Nos. 1, 2, 3, 4 & 6. Besides the aforesaid, it has been observed that the postal track consignment details are also not available at the Indian Post Website.

(ii) Notice issued to the respondent No. 5 has been received un-served with a postal remark, which reads as follows:— “**Not known, RTS**”.

Although no A/D card has been received in respect of the notice issued to respondent No. 2, it has been observed that the learned counsels have entered appearance on behalf of the said respondent by filing Vakalatnama. As such, it may be said that **service in respect of the respondent No. 2 has been completed.**

Taking into consideration of the fact that the notice is yet to be served upon the respondent Nos. 1, 3, 4, 5 & 6, **the learned counsel for the appellant, Mr. S.P. Sharma has appeared before the Lawazima Court today and prayed for allowing them to take fresh steps for service of notice upon the said respondent by way of usual process.**

In view of the above, the appellant is granted 1 (one) week time to take fresh steps for service of notice upon the respondent Nos. 1, 3, 4, 5 & 6 by way of usual process.

Let the matter be listed again before the Lawazima Court in the last week of January, 2026.

Deputy Registrar (Bench)

Comparing Assistant