

GAHC010093172024



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

Case No. : WP(C)/2496/2024

RISHIKESH
S/O- NARAYAN SINGH,
WARD NO- 46 PT, DWARKA PRASAD MISHRA, DWARKA NAGAR, LALMATI,
DIST- JABALPUR, MADHYA PRADESH

VERSUS

THE UNION OF INDIA AND 4 ORS.
REP. BY THE COMMISSIONER AND SECRETARY,
GOVERNMENT OF INDIA, MINISTRY OF HOME AFFAIRS,
NEW DELHI-110001.

2:THE DIRECTOR GENERAL
ASSAM RIFLES HEAD QUARTER

DIRECTORATE GENERAL
ASSAM RIFLES SHILLONG-11

3:THE COMMANDANT
PRESIDING OFFICER
ASSAM RIFLES TRADES AND TECHNICAL RECRUITMENT RALLY 2024
HQ
DIRECTOR GENERAL
ASSAM RIFLES

4:THE COMMANDANT
ASSAM RIFLES TRAINING CENTRE AND SCHOOL
DIPHU

DIST- KARBI ANGLONG
ASSAM

5:ID NO-103839 SATYAM YADAV
S/O- SURESH SINGH

C/O- THE COMMANDER

ASSAM RIFLES TRAINING CENTRE AND SCHOOL
DIPHU
DIST- KARBI ANGLONG
ASSA

Advocate for the Petitioner : MR V KUMAR, MR. T NATH,MS M TIWARI,MR B HAZARIKA,MR B PATHAK

Advocate for the Respondent : DY.S.G.I., MR. D C BORAH(R-1 to 4)

BEFORE
JOINT REGISTRAR (JUDL.) MR. CHINMOY BARUAH

ORDER

Date : 25.02.2026

Case taken up before the Lawazima Court.

Learned counsel Mr. V. Kumar appears on behalf of the petitioner. Heard.

Perused the records.

Perusal of the office note dated 23.02.2026 reveals that notice was issued to the respondent No. 5 by way of registered post with A/D mode on 22.05.2024.

However, it appears that the notice issued to the respondent No. 5 has been received un-served with the following postal remark:—

“Refused, Return to sender”.

Now, in **N. Parameswaran Unni v. G. Kannan, (2017) 5 SCC 737**, the Hon'ble Supreme Court held that "when a notice is sent by registered post and is returned with postal endorsement "refused" or "not available in the house" or "house locked" or "shop closed" or "addressee not in station", due service has to be presumed."

In view of the proposition laid down in **N. Parameswaran Unni** (supra), the registered notice dated 22.05.2024 **may be presumed to be served on the respondent No. 5.**

Accordingly, the matter may be placed before the Hon'ble Court.

Joint Registrar (Judicial)

Comparing Assistant