

GAHC010094922023



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

Case No. : Cont.Cas(C)/247/2023

BIJOY KUMAR BARUAH
SON OF LATE RAM KUMAR BARUAH,
RESIDENT OF JORHAT,
POST OFFICE- BAHANA, POLICE STATION- JORHAT,
DISTRICT- JORHAT, ASSAM
PIN- 785101.

VERSUS

NARAYAN KONWAR AND ORS.
SECRETARY TO THE GOVERNMENT OF ASSAM,
HIGHER EDUCATION DEPARTMENT,
DISPUR, GUWAHATI- 781006.

2:DHARMA KANTA MILI
DIRECTOR OF HIGHER EDUCATION
ASSAM

KAHILIPARA
GUWAHATI- 781019

DISTRICT- KAMRUP(M)
ASSAM.

3:SMTI. POMI BARUAH
ACS
DIRECTOR
HIGHER EDUCATION DEPARTMENT
GOVERNMENT OF ASSAM
KAHILIPARA
GUWAHATI-781019
ASSAM

Advocate for the Petitioner : MR. M K MISRA,

Advocate for the Respondent : MR. K GOGOI (R-2), MR P BORAH (R-2)

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

ORDER

Date : 16.06.2026

Case taken up before the Lawazima Court.

None appears on behalf of the petitioner.

Perused the records.

The office note dated 12.06.2026 reflects that notice was issued to the respondent No. 3 by way of speed post on 23.02.2026.

But so far, neither the A/D card nor any un-served notice has been received in respect of the above mentioned notice issued to the respondent No. 3.

Besides the above, it appears that the postal track consignment report regarding the aforesaid notice is also not available at the Indian Post Website. Consequently, service of notice upon the aforementioned respondent cannot be presumed at this stage.

In view of the above, **the petitioner is hereby directed to take fresh steps for service of notice upon the respondent No. 3 via speed post mode, within 7 (seven) days from today.**

Apart from above, this Lawazima Court observed that notice was issued to the respondent Nos. 1 & 2 via registered post with A/D on 22.05.2023. In response to this notice, it appears that the learned counsels have entered appearance on behalf of the respondent No. 2 by filing Vakalatnama, whereas, no A/D card or un-served notice has been received in respect of the notice issued to the respondent No. 1.

Accordingly, **service of notice upon respondent No. 2 is deemed complete.** However, as the service status of respondent No. 1 is not available on record, a presumption of service cannot be drawn by this Court.

Pursuant to the observations made above, **the petitioner is hereby directed to take**

fresh steps for the service of notice upon respondent No. 1 via speed post within 7 (seven) days from today.

Let the matter be listed again before the Lawazima Court on 23.07.2026.

Joint Registrar (Judicial)

Comparing Assistant