GAHC010108572019

THE GAUHATI HIGH COURT

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

Case No. : WP(C)/3180/2019

LAL CHUAILOUA
SON OF L. NGHINGLO, RESIDENT OF SARKORDAI, MIZORAM. PIN- 796111.

VERSUS

THE STATE OF MIZORAM AND 3 ORS.
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF MIZORAM, DEPARTMENT OF GENERAL ADMINISTRATIVE, AIZWAL. PIN- 796001.

2:THE CHIEF SECRETARY
GOVT. OF MIZORAM
AIZWAL. PIN- 796001.

3:THE DEPUTY COMMISSIONER
AIZWAL
MIZORAM
PIN- 796001.

4:THE SINLUNG HILLS COUNCIL
AIZWAL
MIZORAM
REPRESENTED BY ITS CHAIRMAN
LALMALSAWMA DARNGAWN
AIZWAL
MIZORAM
PIN- 796111

Advocate for the Petitioner : MR. P K ROYCHOUDHURY

Advocate for the Respondent : GA, MIZORAM

BEFORE
JOINT REGISTRAR (JUDL.)- MR. ARUP JYOTI BAISHYA

ORDER

Date : 05.01.2023

Case taken up before the Lawazima Court.

None appears for the petitioner.

Perused the records.

The office note dated 22.12.2022 reveals that notice was issued to the respondent No. 4 by registered post with A/D on 18.11.2022.

It appears that neither the A/D card nor the un-served notice has been received back in respect of the aforesaid respondent.

Now, a perusal of the postal journal reveals that notice was issued to the respondent No. 4 in the address as mentioned in the cause title of the petition. Further, the track consignment report available with the case record reveals that notice in respect of the respondent No. 4 has been delivered on 19.12.2022. Therefore, in view of Section 27 of General Clauses Act 1897 read with Order 5, Rule 9, Sub.Rule 5 (proviso) of the CPC, notice may be deemed to have been served upon the said respondent **(respondent No. 4)**.

Further, it may be mentioned that service on the respondent Nos. 1 to 3 has been completed as reflected in the order of the Hon’ble Court dated 17.05.2019.

In view of the above, the matter may be placed before the Hon’ble Court.

Joint Registrar (Judicial)

Comparing Assistant