

GAHC010109582019



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

Case No. : RSA/120/2019

SHRI BIJAY KHARIA
S/O- LATE DAHARU KHARIA, R/O- QTR NO. AT-120, TINGRAI COLONY,
DULIAJAN, P.O. AND P.S. DULIAJAN, DIST.- DIBRUGARH, ASSAM.

VERSUS

MD. YAAR HUSSAIN AND 6 ORS.
S/O- MD. ASS MD. HUSSAIN, R/O- MORAN KUSHAL NAGAR, P.O.
MORANHAT, P.S. MORAN, DIST.- DIBRUGARH, ASSAM.

2:SRI MOTILAL GOALA
S/O- LATE SUBEDAR GOALA
R/O- NALINI PATHER
P.S. AND MOUZA- TINGKHONG
DIST.- DIBRUGARH.

3:SRI SUNIL SAHU
S/O- SRI SAMBHU SAHU
R/O- MORAN RAJGARH
P.S. AND MOUZA- TINGKHONG
DIST.- DIBRUGARH
ASSAM.

4:SRI BAKA KHARIA
S/O- DAHARU KHARIA
R/O- ABHOYPURIA BONGALI GAON
P.O. MORANHAT
P.S. MORAN
DIST.- DIBRUGARH
ASSAM.

5:SRI BOGA KHARIA
R/O- MORAN KHATKHATI
TIPU BASTI

P.O. MORANHAT
P.S. MORAN
DIST.- DIBRUGARH
ASSAM.

6:SRI SUKRA KHARIA
S/O- DAHARU KHARIA
R/O- ABHOYPURIA BONGALI GAON
P.O. MORANHAT
P.S. MORAN
DIST.- DIBRUGARH
ASSAM.

7:SRI SANU KHARIA
S/O- DAHARU KHARIA
R/O- ABHOYPURIA BONGALI GAON
P.O. MORANHAT
P.S. MORAN
DIST.- DIBRUGARH
ASSAM

Advocate for the Petitioner : MR C BARUAH, MR. B BARUAH,MS. R R BARUAH,MS S HASNU

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE SANJEEV KUMAR SHARMA

ORDER

Date : 27.02.2026

None appears for the appellant as well as the respondents.

As per office note dated 29.08.2024 the notice upon the respondent No. 3 was returned back due to insufficient address and neither A/D card nor unserved notice was received in respect of the respondent Nos. 1 and 2 by the Section till date. Hence, affidavit in connection with dasti service has not been submitted by the appellant despite order dated 17.06.2019 and no steps has been received by the Section till date in respect of the proforma respondent Nos. 4 to 7. Subsequently, order dated 02.09.2024, the appellant was directed

to take steps upon the respondent Nos. 1, 2 and 3 by obtaining necessary instruction in respect of the address of the respondent No. 3 and also to file affidavit in respect of the service of notice upon the respondent by dasti mode.

However, office note dated 20.02.2026 indicates that no steps has been taken by the appellant as directed by the previous orders and today none appears for the appellant although the names of the learned counsel have been shown in the cause list.

Hence, the appeal stands dismissed.

JUDGE

Comparing Assistant