

GAHC010111542024



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

Case No. : CRP(IO)/185/2024

THE UCO BANK AND 2 ORS
A BODY CORPORATE AND CONSTITUTE UNDER THE BANKING
COMPANIES (ACQUISITION AND TRANSFER OF UNDERTAKING) ACT V OF
1970 CARRYING ON BUSINESS OF BANKING AND ANCILLARY MATTERS
WITH ITS HEAD OFFICE AT 10, BTM SARANI, BRABOURNE ROAD,
KOLKATA 1 AND ITS ZONAL OFFICE AT JORHAT, AND BRANCH OFFICE
AMONGST OTHER PLACE AT BANDARDEWA, DIST PAPUMPARE,
ARUNACHAL PRADESH, 791123 AND IS REP. BY ITS BRANCH MANAGER,
UCO BANK, BANDARDEWA, DIST PAPUMPARE, ARUNACHAL PRADESH

2: THE UCO BANK
HAVING ITS BRANCH OFFICE AT BANDERDEWA
REP. BY ITS BRANCH MANAGER
BANDARDEWA
DIST PAPUMPARE
ARUNACHAL PRADESH

3: THE BRANCH MANAGER
BANDARDEWA
DIST PAPUMPARE
ARUNACHAL PRADES

VERSUS

ANUWARA BEGUM AND ANR
W/O LATE ROHIMUDDIN, RESIDENT OF VILLAGE BORCHALA, PO
BORCHALA, MOUZA NOWBOICHA, PS NORTH LAKHIMPUR, DIST
LAKHIMPUR, ASSAM 787001

2: ON THE DEATH OF ROHIMUDDIN HIS LEGAL HEIRS
ABUL KALAM
S/O LATE ROHIMUDDIN
RESIDENT OF VILLAGE BORCHALA
PO BORCHALA

MOUZA NOWBOICHA
PS NORTH LAKHIMPUR
DIST LAKHIMPUR
ASSAM 787001

3:RUKSANA BEGUM
D/O LATE ROHIMUDDIN
RESIDENT OF VILLAGE BORCHALA
PO BORCHALA
MOUZA NOWBOICHA
PS NORTH LAKHIMPUR
DIST LAKHIMPUR
ASSAM 787001

4:AFSIA BEGUM
D/O LATE ROHIMUDDIN
RESIDENT OF VILLAGE BORCHALA
PO BORCHALA
MOUZA NOWBOICHA
PS NORTH LAKHIMPUR
DIST LAKHIMPUR
ASSAM 787001

5:BEGUM SUFIA AHMED
D/O LATE ROHIMUDDIN
RESIDENT OF VILLAGE BORCHALA
PO BORCHALA
MOUZA NOWBOICHA
PS NORTH LAKHIMPUR
DIST LAKHIMPUR
ASSAM 78700

Advocate for the Petitioner : MR. M SHARMA, MS. S YASMIN,MR H K SARMA,MR P AGARWAL

Advocate for the Respondent : ,

BEFORE
DEPUTY REGISTRAR (BENCH) - MR. SAPTARSHI DAS

ORDER

Date : 12.06.2025

Case taken up before the Lawazima Court.

Learned counsel Mr. H.K. Sarma appears on behalf of the petitioners. Heard.

Perused the records.

Perusal of the instant case record reveals that notice was issued to the respondent Nos. 1, 2a, 2b, 2c & 2d by way of registered post with A/D as well as by way of usual process on 11.04.2025.

Now, in respect of the aforesaid notices issued to the respondent Nos. 1, 2a, 2b, 2c & 2d, it has been observed as follows:—

In respect of the notice issued through usual Court process:— In respect of the said notice, it appears that the process server's reports of the respondent Nos. 1, 2a, 2b, 2c & 2d have been received and perusal of the said service reports reveals the following:—

Respondent No. 1:— The said respondent was not available at his residence at that time. As such, Notice was received by the respondent's son on his behalf. Also, it may be mentioned that the son of the respondent No. 1 is also arrayed as respondent No. 2a in the instant petition.

Respondent No. 2a:— The notice was duly received by the respondent himself.

Respondent Nos. 2b, 2c & 2d:— The service reports states that the respondent Nos. 2b, 2c & 2d have gotten married and as such the family members of the aforesaid respondents have refused to accept their respective notices on behalf of them. Hence, notice could not be served.

In respect of the notice issued through registered post with A/D:— In this regard, it appears that neither the A/D cards nor any un-served notices regarding respondent Nos. 1, 2a, 2b, 2c & 2d have been received by the concerned section till date.

However, the postal track consignment report regarding the aforementioned notice issued to the respondent Nos. 1, 2a, 2b, 2c & 2d are generated from the Indian Post website, which reflects that the notice in respect of the said respondents has been delivered to the addressees on 29.04.2025.

In view of the observations made above, it may be discerned that:—

(i) In respect of the respondent Nos. 1 & 2a, both of the notices issued through registered post with A/D as well as through usual Court process have been duly served upon the said respondents.

(ii) In respect of the respondent Nos. 2b, 2c & 2d, the notice issued through registered post with A/D has been duly served upon the said respondents.

As such, it may be said that **service in respect of the respondent Nos. 1, 2a, 2b, 2c & 2d has been completed.**

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

Deputy Registrar (Bench)

Comparing Assistant