

GAHC010121842022



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

Case No. : WP(C)/4139/2022

NIZAM KHAN
S/O- LATE NANDU KHAN,
VILLAGE- PALHAJI,
P.O- AND DIST- BARPETA, ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, COOPERATION DEPARTMENT, DISPUR, GUWAHATI-06

2:THE ADDITIONAL CHIEF SECRETARY
TO THE GOVT. OF ASSAM
COOPERATION DEPARTMENT
DISPUR
GUWAHATI-06

3:ZONAL JOINT REGISTRAR OF COOPERATIVE SOCIETIES
GUWAHATI ZONE
BHANGAGARH
GUWAHATI

4:THE REGISTRAR
OF COOPERATIVE SOCIETIES
ASSAM
KHANAPARA
GUWAHATI-22.

5:THE THEN BOARD OF DIRECTORS OF AZAD SAMABAY SAMITI OF
BARPETA DISTRICT
ASSAM
(PRESENTLY NON FUNCTIONAL SINCE 1/06/2022)

Advocate for the Petitioner : MR. S BANIK, D BORAH

Advocate for the Respondent : SC, CO OP,

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

ORDER

Date : 27.10.2025

Case taken up before the Lawazima Court.

Learned counsel Ms. F. Begum appears on behalf of Mr. S. Banik, learned counsel for the petitioner. Heard.

Perused the records.

Perusal of the instant case record reveals that the matter was last listed before the Lawazima Court on 20.06.2025 and on that day, the Lawazima Court was pleased to observe as follows:—

*The notice was issued to the respondent No. 5 by way of registered post with A/D mode on 12.08.2024. But, the said notice was received un-served with the postal remark, which reads as "**Insufficient Address, RTS**".*

Considering the facts mentioned above, the preceding Lawazima Court vide its order dated 20.06.2025 was pleased to direct the petitioner to take fresh steps for service of notice upon the respondent No. 5 by way of registered post with A/D mode in the proper and complete address within one week from the date of the said order.

But, a perusal of the recent office note dated 27.10.2025 reveals that the petitioner has not yet taken any steps for issuance of notice to the above mentioned respondent No. 5.

Now, taking into consideration the fact that the earlier notice dated 12.08.2024 issued

to the respondent No. 5 has been return un-served, this Lawazima Court is of the view that necessary instructions regarding the present address of respondent No. 5 shall be obtained by the petitioner prior to taking fresh steps upon the said respondent. As such, the petitioner is afforded 7 (seven) days time to take necessary steps for obtaining instructions regarding the respondent No. 5.

Let the matter be listed again before the Lawazima Court on 10.11.2025.

Joint Registrar (Judicial)

Comparing Assistant