

GAHC010122392023



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

Case No. : WP(C)/3286/2023

MRIDUL HAZARIKA AND 3 ORS.

S/O- MR. JOGEN HAZARIKA, VILLAGE NO.2 PITHAGURI, P.O. PITHAGURI,
P.S. BIHPURIA, DIST.- LAKHIMPUR, ASSAM, PIN- 784163

2: MD. NASIOR RAHMAN

S/O- MD. ASHOK ALI

VILL- MOURIPAM P.O. MANDIA

P.S. BARBHAG

DIST.- BARPETA

ASSAM

PIN- 781308

3: MRINAL MEDHI

S/O- LATE NARAYAN MEDHI

R/O- KUNDILNAGAR

BASISTHA CHARIALI

P.O. BASISTHA

DIST.- KAMRUP (M)

ASSAM

GHY-29

4: ZAKIR HUSSAIN

S/O- LATE NURUL ISLAM

VILL- GHILAZARI

P.O. GHILAZARI

P.S. HOWLY

DIST.- BARPETA

ASSAM

PIN- 78131

VERSUS

THE STATE OF ASSAM AND 8 ORS.

REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, HEALTH AND

FAMILY WELFARE DEPTT., DISPUR, GHY-06

2:THE DIRECTOR
HEALTH SERVICE
HENGHERABARI
GHY-5

3:THE DIRECTOR OF MEDICAL EDUCATION
ASSAM
SIXMILE
KHANAPARA
GUWAHATI
KAMRUP (M)
ASSAM
GHY-06

4:THE PRINCIPAL-CUM-CHIEF SUPERINTENDENT
TEZPUR MEDICAL COLLEGE AND HOSPITAL
TEZPUR
ASSAM
PIN- 784153

5:MRINAL KR. SARMA
SELECTED FOR THE POST OF LABORATORY TECHNICIAN
TEZPUR MEDICAL COLLEGE AND HOSPITAL VIDE NOTICE PUBLISHED
ON 31.05.2023 IN THE ASOMIYA PRATIDIN
AN ASSAMESE DAILY
BY THE PRINCIPAL-CUM-CHIEF SUPERINTENDENT
TEZPUR MEDICAL COLLEGE AND HOSPITAL
TEZPUR
ASSAM C/O- PRINCIPAL-CUM-CHIEF SUPERINTENDENT
TEZPUR MEDICAL COLLEGE AND HOSPITAL
TEZPUR
ASSAM
PIN- 784153

6:JOGAMAYA HAZARIKA
SELECTED FOR THE POST OF LABORATORY TECHNICIAN
TEZPUR MEDICAL COLLEGE AND HOSPITAL VIDE NOTICE PUBLISHED
ON 31.05.2023 IN THE ASOMIYA PRATIDIN
AN ASSAMESE DAILY
BY THE PRINCIPAL-CUM-CHIEF SUPERINTENDENT
TEZPUR MEDICAL COLLEGE AND HOSPITAL
TEZPUR
ASSAM C/O- PRINCIPAL-CUM-CHIEF SUPERINTENDENT
TEZPUR MEDICAL COLLEGE AND HOSPITAL
TEZPUR
ASSAM

PIN- 784153

7:KHAGEN BARMAN
SELECTED FOR THE POST OF LABORATORY TECHNICIAN
TEZPUR MEDICAL COLLEGE AND HOSPITAL VIDE NOTICE PUBLISHED
ON 31.05.2023 IN THE ASOMIYA PRATIDIN
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TEZPUR MEDICAL COLLEGE AND HOSPITAL
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ASSAM C/O- PRINCIPAL-CUM-CHIEF SUPERINTENDENT
TEZPUR MEDICAL COLLEGE AND HOSPITAL
TEZPUR
ASSAM
PIN- 784153

8:KABITA BORA
SELECTED FOR THE POST OF LABORATORY TECHNICIAN
TEZPUR MEDICAL COLLEGE AND HOSPITAL VIDE NOTICE PUBLISHED
ON 31.05.2023 IN THE ASOMIYA PRATIDIN
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TEZPUR MEDICAL COLLEGE AND HOSPITAL
TEZPUR
ASSAM C/O- PRINCIPAL-CUM-CHIEF SUPERINTENDENT
TEZPUR MEDICAL COLLEGE AND HOSPITAL
TEZPUR
ASSAM
PIN- 784153

9:SAMARJIT ROY
SELECTED FOR THE POST OF LABORATORY TECHNICIAN
TEZPUR MEDICAL COLLEGE AND HOSPITAL VIDE NOTICE PUBLISHED
ON 31.05.2023 IN THE ASOMIYA PRATIDIN
AN ASSAMESE DAILY
BY THE PRINCIPAL-CUM-CHIEF SUPERINTENDENT
TEZPUR MEDICAL COLLEGE AND HOSPITAL
TEZPUR
ASSAM C/O- PRINCIPAL-CUM-CHIEF SUPERINTENDENT
TEZPUR MEDICAL COLLEGE AND HOSPITAL
TEZPUR
ASSAM
PIN- 78415

Advocate for the Petitioner : MR. I H LASKAR

Advocate for the Respondent : GA, ASSAM

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

ORDER

Date : 24.08.2023

Case taken up before the Lawazima Court.

None appears for the petitioner.

Perused the records.

The office note dated 24.08.2023 reveals that notice was issued to the respondent Nos. 5 to 9 by registered post with A/D on 19.06.2023.

It appears that A/D card has been received in respect of the respondent Nos. 5 & 6. A perusal of the said A/D card reveals that it does not bears the initial of the recipient. Further, in respect of the respondent No. 7, neither the A/D card nor the un-served notice has been received by the concerned section till date. However, the postal track consignment report available with the case record reveals that notices in respect of the respondent Nos. 5, 6 & 7 have been delivered to the addressee on 01.07.2023. As such, **service is complete in respect of the respondent Nos. 5, 6 & 7.**

In respect of the respondent Nos. 8 & 9, it appears that un-served notices have been received back with postal remark "**Addressee not available hence RTS**".

It further appears that an affidavit regarding service of notice upon the respondent Nos. 5 to 9 through the respondent No. 4 has been received. A perusal of the said affidavit reveals that notices upon the respondent Nos. 5 to 9 were served in the office of the respondent No. 4 on 16.06.2023 as per the order of the Hon'ble Court dated 07.06.2023. However, the respondent No. 4 has not filed any affidavit regarding service of the said notices to the respondent Nos. 5 to 9 as per the direction of the Hon'ble Court dated 07.06.2023.

In view of the above, the respondent No. 4 is directed to file an affidavit regarding services of notices upon the respondent Nos. 5 to 9 as per the order of the Hon'ble Court dated 07.06.2023 within 7 (seven) days.

As the matter has been allowed by the Hon'ble Court to be listed on 25.08.2023, the matter may be placed before the Hon'ble Court.

Joint Registrar (Judicial)

Comparing Assistant