

GAHC010122582024



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

Case No. : WA/212/2024

KRISHNA BALA ADHIKARY
W/O ANANDA ADHIKARY,
RESIDENT OF VILL- GHARIALDANGA PT.II, PO-MAHAMAYAHAT,
PS-GOLOKGANJ, DIST. DHUBRI, ASSAM, PIN-783335

VERSUS

1.PRODIP KUMAR BISWAS AND 7 ORS
S/O HARENDRA NATH BISWAS, RESIDENT OF VILL- GHARIALDANGA
PT.II, PO-MAHAMAYAHAT, PS-GOLOKGANJ,
DIST. DHUBRI, ASSAM, PIN-783335

2:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, CO-OPERATION DEPARTMENT DISPUR GUWAHATI-6

3:THE REGISTRAR OF CO-OPERATIVE SOCIETIES
KHANAPARA ASSAM GUWAHATI-22

4:THE DISTRICT COMMISSIONER DHUBRI, DIST. DHUBRI ASSAM

5:THE DEPUTY DIRECTOR, FOOD AND CIVIL SUPPLIES DHUBRI
DIST. DHUBRI ASSAM

6:THE ASSISTANT REGISTRAR OF COOPERATIVE SOCIETIES DHUBRI
DIST. DHUBRI ASSAM

7:THE HALAKURA S.S. LTD.
REPRESENTED BY ITS CHAIRMAN
VILL-HALAKURA PO-MAHAMAYAGHAT
DIST. DHUBRI ASSAM PIN-78333

For the Appellant(s) : Mr. R. Islam, Advocate.

For the Respondent(s) : Mr. M.I. Hussain, Advocate for respondent No.1.

- : Ms. A. Mesed, Advocate for respondent Nos.2 & 6.
- : Mr. D. Nath, Senior Government Advocate, Assam for respondent Nos.4 & 5.

– BEFORE –
HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE N. UNNI KRISHNAN NAIR

08.11.2024

(Vijay Bishnoi, CJ)

An additional affidavit to the effect of service of notice upon the respondent No.7 through *dasti* is filed on behalf of the appellant wherein it has been mentioned that the respondent No.7 has refused to accept the notice served upon him in presence of the Secretary and the Members of the Managing Committee of the Society by stating that he has already received the notice issued through registered post.

The signatures of the Secretary and the Members of the Managing Committee of the Society are there on the returned notice.

Taking into consideration the above facts and circumstances of the case and the additional affidavit filed on behalf of the appellant, we are of the view that the service of notice upon the respondent No.7 is complete.

Let this matter be listed after 2(two) weeks along with I.A.(Civil) No.1971/2024.

Interim order, if any, to continue till the next date of hearing.

JUDGE

CHIEF JUSTICE

Comparing Assistant