

GAHC010124182022



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

Case No. : RSA/93/2023

TAIYAB ALI
S/O LATE ISHA HOQUE MIAH,
RESIDENT OF BIDYAPARA, WARD NO. 10, DHUBRI TOWN, PS AND DIST
DHUBRI, ASSAM

VERSUS

SUBHASH SARMA AND 2 ORS.
(BLACKSMITH) S/O LATE DURGA MISTRI SARMA, RESIDENT OF NEW
MARKET, WARD NO. 10, DHUBRI TOWN, PS AND DIST DHUBRI, ASSAM

2:MD. FOEZ ALI
S/O LATE MASAN ALI
RESIDENT OF BIDYAPARA
AFTAB UDDIN ROAD
WARD NO. 10
DHUBRI TOWN
PS AND DIST DHUBRI
ASSAM

3:MUSST. SETARA BEGUM
W/O MD. FOEZ ALI

D/O NUR HABIB
RESIDENT OF BIDYAPARA
AFTAB UDDIN ROAD
WARD NO. 10
DHUBRI TOWN
PS AND DIST DHUBRI
ASSA

Advocate for the Petitioner : MR. A RAHMAN, MR. A HOQUE

Advocate for the Respondent : MS. R CHOUDHURY (R-2,3), MS F N ZAMAN (R-2,3),MS. B. HAZARIKA (R-2,3)

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 09.02.2026

Heard Mr. A. Rahman, learned counsel appearing for the appellant. Also heard Ms. R. Choudhury, learned counsel appearing for the respondent Nos. 2 and 3.

It appears from the *dasti* affidavit filed on 06.11.2025 that since the respondent No. 1 was not found at his home at the time of effectuating service, upon telephonic information received from him to serve it to his brother, the same was handed over to his brother, Punam Sarma, who has accordingly received it.

In view of the said averment, the service in respect of respondent No. 1 stands complete.

Today when the matter is called, there is no appearance on behalf of the respondent No. 1.

It further appears that since the TCR has been received in the matter; let the matter be fixed for hearing on 26.03.2026.

JUDGE

Comparing Assistant