

GAHC010134112024



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

Case No. : I.A.(Civil)/2620/2024

NATIONAL INSURANCE CO. LTD.
HAVING ITS REGISTERED OFFICE AT MIDDLETON STREET, KOLKATA AND
ONE OF THE REGIONAL OFFICES KNOWN AS GUWAHATI REGIONAL
OFFICE, G.S. ROAD, BHANGAGARH, GUWAHATI-5 AND A BRANCH OFFICE
AT NAGAON.

VERSUS

MD. RAHIM ALI and ANR,
S/O MD. ABDUL ALI, R/O VILL. MULLAPATTY, HAIBORGAON, DIST.
NAGAON, ASSAM.

2:MD. MUBARAK HUSSAIN

S/O MD. ABDUL MOTLIB
VIL. CHAMDHORA
P.O. JURIA
DIST. NAGAON
ASSAM

Advocate for the Petitioner : MR. R K BHATRA, MS.P HUJURI,MR A SAIKIA,MS.A BORA

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 19.01.2026

- 1.** Heard Ms. A. Biyani, learned counsel for the applicant.
- 2.** On perusal of the office note dated 15.07.2025, it appears that the notice

issued to the respondent No. 1 has returned with postal endorsement "not known addressee, returned to sender" and as regards the respondent No. 2 no service report has been received yet.

3. The learned counsel for the applicant submits that in the connected appeal i.e., MFA No. 79/2022 also the notice could not be served through usual mode as well as through postal mode and it held that the appellant was directed to take steps for issuance of notice by substituted mode and only after publication of the notice in the newspaper, this Court held the notices to be duly served against the respondent Nos. 1 and 2. She submits that in the connected appeal, the Trial Court records have already been received and hence, this interlocutory application under Order 41 Rule 27 may be taken up along with the hearing on main appeal.

4. The prayer is allowed.

5. List this matter along with the connected MFA after four weeks.

JUDGE

Comparing Assistant