

GAHC010139042018



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

Case No. : WP(C)/4301/2018

ON THE DEATH OF ANUP KR. DAS HIS LEGAL HEIR 1.1 SUKLA DAS (WIFE)
R/O CENTRAL GOTANAGAR, RLY QTR. NO. 18/B, P.O- MALIGAON, P.S.
JALUKBARI, GUWAHATI-781011, KAMRUP(M) ASSAM.

1.2: AMITAVA DAS (SON)
R/O CENTRAL GOTANAGAR
RLY QTR. NO. 18/B
P.O- MALIGAON
P.S. JALUKBARI
GUWAHATI-781011
KAMRUP(M) ASSAM.

1.3: HEMA DAS (DAUGHTER)
R/O CENTRAL GOTANAGAR
RLY QTR. NO. 18/B
P.O- MALIGAON
P.S. JALUKBARI
GUWAHATI-781011
KAMRUP(M) ASSAM

VERSUS

THE UNION OF INDIA AND 5 ORS
REP. BY THE GENERAL MANAGER, N F RAILWAY, MALIGAON,
GUWAHATI- 781011

2:THE SENIOR DIVISIONAL SIGNAL AND TELECOM ENGINEER
N F RAILWAY HEAD QUARTER COMPLEX
MALIGAON
GUWAHATI- 781011

3:THE SENIOR DIVISIONAL AND TELECOM ENGINEER
N F RAILWAY
LUMDING- 782447

4:THE DIVISIONAL RAILWAY MANAGER(P)
N F RAILWAY
MALIGAON
GHY- 11

5:THE ADDITIONAL DIVISIONAL RAILWAY MANAGER
N F RAILWAY
LUMDING- 782447

6:MASOOD ALAM
SENIOR DIVISIONAL SIGNAL AND TELECOM ENGINEER
MALIGAON
N F RAILWAY
MALIGAON- 1

Advocate for the Petitioner : MR. M CHANDA, MR S NATH,DR G J SHARMA,MR M CHANDA,DR G J SHARMA,MR S NATH,MR M CHANDA,MR S CHOUDHURY

Advocate for the Respondent : SC, NF RLY,

BEFORE
JOINT REGISTRAR (JUDL.) MR. CHINMOY BARUAH

ORDER

Date : 23.09.2024

Case taken up before the Lawazima Court.

None appears on behalf of the petitioner.

Perused the records.

On a perusal of the office note dated 21.09.2024 reveals that notice was issued to the respondent No. 6 by registered post with A/D on 23.07.2018.

However, in respect of the aforesaid notice, it appears that no A/D card or un-served notice has been received by the concerned section as of yet. In addition to the aforesaid, it seems that the postal track consignment details are also not available in respect of the respondent mentioned above.

From the above, it appears that service of notice upon the respondent No. 6 has not been affected as of yet.

As such, **in view of the power conferred upon the Lawazima Court by the Division Bench's order dated 07.12.2020 of the Hon'ble Gauhati High Court passed in Writ Petition No. 4583/2015,** the petitioner is directed to take fresh steps for service of notice upon the respondent No. 6 by registered post with A/D as well as by usual Court process through the office of the learned Civil Judge (Junior Division), Kamrup(M), within 7 (seven) days from the date of this order.

Let the matter be listed again before the Lawazima Court in the first week of November.

Joint Registrar (Judicial)

Comparing Assistant