

GAHC010163842021



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

Case No. : RSA/138/2021

URBASHI RABHA AND 5 ORS.
W/O- LATE SHIVDAS RABHA, R/O- VILL.- HALOWAPARA, P.S. LAKHIPUR,
DIST.- GOALPARA, ASSAM

2: SMTI. RUBI RABHA
D/O- LATE SHIVDAS RABHA
R/O- VILL.- HALOWAPARA
P.S. LAKHIPUR
DIST.- GOALPARA
ASSAM

3: SMTI. ANILA RABHA
D/O- LATE SHIVDAS RABHA
R/O- VILL.- HALOWAPARA
P.S. LAKHIPUR
DIST.- GOALPARA
ASSAM

4: SMTI. SABITRI RABHA
D/O- LATE SHIVDAS RABHA
R/O- VILL.- HALOWAPARA
P.S. LAKHIPUR
DIST.- GOALPARA
ASSAM

5: DHIRESH RABHA
S/O- LATE SHIVDAS RABHA
R/O- VILL.- HALOWAPARA
P.S. LAKHIPUR
DIST.- GOALPARA
ASSAM

6: SMTI. MINOTI RABHA
D/O- LATE SHIVDAS RABHA

R/O- VILL.- HALOWAPARA
P.S. LAKHIPUR
DIST.- GOALPARA
ASSA

VERSUS

MOHIR UDDIN AHMED AND 14 ORS.
S/O- DALOWAR HUSSAIN, R/O- VILL.- LAKHIPUR (HALOWAPARA), P.S.
LAKHIPUR, DIST.- GOALPARA, ASSAM

2:EUSUF ALIL AHMED
S/O- DALOWAR HUSSAIN
R/O- VILL.- LAKHIPUR (HALOWAPARA)
P.S. LAKHIPUR
DIST.- GOALPARA
ASSAM

3:JONA RABHA
D/O- LATE SHAYANU RABHA
R/O- VILL.- LAKHIPUR (HALOWAPARA)
P.S. LAKHIPUR
DIST.- GOALPARA
ASSAM

4:MONA RABHA
D/O- LATE SHAYANU RABHA
R/O- VILL.- LAKHIPUR (HALOWAPARA)
P.S. LAKHIPUR
DIST.- GOALPARA
ASSAM

5:TONA RABHA
D/O- LATE SHAYANU RABHA
R/O- VILL.- LAKHIPUR (HALOWAPARA)
P.S. LAKHIPUR
DIST.- GOALPARA
ASSAM

6:SUMITA RABHA
D/O- NAYANU RABHA
R/O- VILL.- LAKHIPUR (HALOWAPARA)
P.S. LAKHIPUR
DIST.- GOALPARA
ASSAM

7:ROMILA RABHA
D/O- NAYANU RABHA

R/O- VILL.- LAKHIPUR (HALOWAPARA)
P.S. LAKHIPUR
DIST.- GOALPARA
ASSAM

8:BUNESWAR PRASAD SHA
S/O- LATE GAYA SHA
R/O- VILL.- LAKHIPUR (HALOWAPARA)
P.S. LAKHIPUR
DIST.- GOALPARA
ASSAM

9:SUBAL RABHA
S/O- LATE SUSHIL RABHA
R/O- VILL.- LAKHIPUR (HALOWAPARA)
P.S. LAKHIPUR
DIST.- GOALPARA
ASSAM

10:SANDHYA RABHA
W/O- KONGRESS RABHA
R/O- VILL.- LAKHIPUR (HALOWAPARA)
P.S. LAKHIPUR
DIST.- GOALPARA
ASSAM

11:BABUL RAY
S/O- LATE RADHESHYAM RAY
R/O- VILL.- LAKHIPUR (HALOWAPARA)
P.S. LAKHIPUR
DIST.- GOALPARA
ASSAM

12:PUTUL RABHA
W/O- BIPUL NATH
R/O- VILL.- LAKHIPUR (HALOWAPARA)
P.S. LAKHIPUR
DIST.- GOALPARA
ASSAM

13:PRABHA RABHA
D/O- LATE KARUN RABHA
R/O- VILL.- LAKHIPUR (HALOWAPARA)
P.S. LAKHIPUR
DIST.- GOALPARA
ASSAM

14:VETLA RABHA

S/O- GANESH RABHA
R/O- VILL.- LAKHIPUR (HALOWAPARA)
P.S. LAKHIPUR
DIST.- GOALPARA
ASSAM

15:HAGURI RABHA
D/O- SUSHIL RABHA
R/O- VILL.- LAKHIPUR (HALOWAPARA)
P.S. LAKHIPUR
DIST.- GOALPARA
ASSAM

16:STATE OF ASSAM
ASSAM

17:SETTLEMENT OFFICER
GOALPARA DISTRICT
ASSAM

18:ASSTT. SETTLEMENT OFFICER
LAKHIPUR CIRCLE
LAKHIPUR

Advocate for the Petitioner : MR. R SARMA, MR A HUSSAIN,MR D HAZARIKA,MR. A DHAR

Advocate for the Respondent : MR. M H TALUKDAR (R-1,2), SR. GA, ASSAM,MR. D BARMAN (R-3,5,9,10,11,14),MR. N B P SINGHA (R-3,5,9,10,11,14),MS. N BARMAN (R-17),MR D KALITA (R-17),MR. D NATH (R-17),MR H DAS (r-7),MR. B C DEKA (r-7),MD A ALI (R-1,2),MR. A R SIKDAR (R-1,2),M M ZAMAN (R-1,2)

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 08.05.2026

Heard Mr. A. Dhar, learned counsel for the appellants. Also heard Ms. S. Das, learned counsel for the respondent Nos.1 to 3, Mr. H. Das, learned counsel for the respondent No.7 and Mr. D. Nath, learned counsel for the respondent No.17.

Office note dated 24.03.2026 indicates that un-served notice has been received from respondent No.8 with the postal remark "Left", whereas the substitution application, which were required to have been filed in respect of respondent Nos.6 and 15 has not yet been received in the section of the Registry of this Court.

Mr. Dhar, learned counsel for the appellants, submits that necessary steps shall be taken in respect of respondent Nos. 6 and 15. He further submits that the notice upon respondent No. 8 has returned unserved with the postal endorsement "Left". Accordingly, prayer is made for substituted service by way of paper publication upon respondent No. 8.

The prayer for effecting service upon respondent No. 8 by way of paper publication is allowed. Publication shall be made in two newspapers having wide circulation, out of which one shall be in vernacular language, within a period of 20 days from today. Affidavit of service shall be filed thereafter.

As regards respondent Nos. 6 and 15, let the necessary steps be taken before the next date of listing.

Repost on 15.06.2026.

It is observed that the case records have been received from both the Trial Court as well as from the Appellate Court.

JUDGE

Comparing Assistant