

GAHC010174512016



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

Case No. : WP(C) 6474/2016

1:MD. ANWAR HUSSAIN BORBHUYAN
S/O. ALHAJ NOOR UDDIN BORGHUYAN, R/O. VILL. DOBOKA, WARD NO. 4,
P.O. and P.S. DOBOKA, DIST. HOJAI, ASSAM.

VERSUS

1:THE STATE OF ASSAM AND 26 ORS
REP. BY THE SECRETARY AND COMMISSIONER TO THE GOVT. OF ASSAM,
DEPTT. OF HOME, DISPUR, GUWAHATI -6, ASSAM.

2:THE DIRECTOR GENERAL OF POLICE
ASSAM
ULUBARI
GUWAHATI -7
DIST. KAMRUPM
ASSAM.

3:THE SUPERINTENDENT OF POLICE
DIPHU
DIST. KARBI ANGLONG
ASSAM.

4:THE DIST. TRANSPORT OFFICER
DIPHU
DIST. KARBI ANGLONG
ASSAM. 4. A THE MOTOR VEHICLE INSPECTOR
O/O. THE D.T.O.
DIPHU
KARBI ANGLONG
ASSAM.

5:ABDUL JALIL
S.I.
BAKALIA POLICE STATION

DIST. KARBI ANGLONG
ASSAM.

6:ANWAR HUSSAIN
S/O. AFTAR UDDIN
R/O. VILL. THEPLIANGLONG
P.S. BAKALIA
HOWRAGHAT
DIST. KARBI ANGLONG
ASSAM.

7:SMTI. BINA RANI NATH
W/O. LT. DIPCHARAN NATH
R/O. VILL. DIGHOLIPAR. P.S. HOWRAGHAT
DIST. KARBI ANGLONG
ASSAM.

8:MUSTT. JAMILA BEGUM
W/O. MD. ANWAR HUSSAIN

9:MD. ANWAR HUSSAIN
S/O. AFTAB UDDIN

10:MISS APACHANA BEGUM
D/O. MD. ANUWAR HUSSAIN

11:MISS RUMANA BEGUM
D/O. MD. ANUWAR HUSSAIN.

12:MD. ALTAP HUSSAIN
S/O. MD. ANUWAR HUSSAIN

13:MD. JABIR HUSSAIN
S/O. MD. ANUWAR HUSSAIN.

14:MD. SABIR HUSSAIN
S/O. MD. ANUWAR HUSSAIN
THE RESPONDENT NO. 10 TO 14 ARE MINOR
HENCE REP. BY THEIR MOTHER I.E. RESPONDENT NO. 9 AND ALL THE
RESPONDENT NOS. 8 TO 14 ARE RESIDENT OF VILL. THEPLIANGLONG
MILONGAON
P.O. BAKALIAGHAT
P.S. BAKALIA
DIST. KARBI ANGLONG
ASSAM.

15:SMTI. PRABHA RANI NATH
W/O. SRI ANIT NATH @ ANIL DEB NATH.

16:SRI ANIL NATH @ ANIL DEB NATH
S/O. LT. ABANI NATH.

17:SRI PIPLU NATH
S/O. SRI ANIL NATH @ ANIL DEB NATH. THE RESPONDENT NO 17. IS
MINOR
HENCE REPRESENTED BY HIS MOTHER I.E. RESPONDENT NO. 15 AND
ALL THE RESPONDENT NOS. 15 TO 17 ARE THE RESIDENT OF VILL.
PATRADISHA
P.S. BAKALIA
DIST. KARBI ANGLONG
ASSAM.

18:SMTI. MALOTI DEVI
W/O. LT. BHUNESWAR SINGH @ GUNESWAR SINGH

19:SRI BISWAJIT KUMAR
S/O. LT. BHUNESWAR SINGH @ GUNESWAR SINGH

20:SRI BISHAL KUMAR
S/O. LT. BHUNESWAR SINGH @ GUNESWAR SINGH

21:MISS RANJANA KUMARI
D/O. LT. BHUNESWAR SINGH @ GUNESWAR SINGH. THE RESPONDENT
NOS. 19 AND 20 ARE MINOR
HENCE REP. BY THEIR MOTHER I.E. RESPONDENT NO. 18 AND ALL THE
RESPONDENT NOS. 18 TO 21 ARE RESIDENT OF VILL. BIROLA
P.S. DIPHU
DIST. KARBI ANGLONG
ASSAM.

22:SMTI. PARUL RANI NATH
W/O. SRI NISHITH RANJAN NATH

23:SRI NISHITH RANJAN NATH
S/O. LT. DINAMONI NATH

24:MISS BAMPI NATH
D/O. SRI NISHITH RANJAN NATH. THE RESPONDENT NOS. 22 TO 24 ARE
THE RESIDENT OF VILL. AZARBARI
P.S. LANKA
DIST. HOJAI
ASSAM.

25:SRI MRIDUL KONWAR @ JUN KONWAR
S/O. HIRANATH KONWAR
R/O. VILL. BIROLA NEAR HEBRON ENG. SCHOOL
P.S. DIPHU
DIST. KARBI ANGLONG
ASSAM.

26:MISS MAMPI NATH
D/O. SRI NISHITH RANJAN NATH
R/O. VILL. AZARBARI
P.S. LANKA
DIST. HOJAI
ASSAM.

27:THE CHIEF REGIONAL MANAGER
THE NEW INDIA ASSURANCE CO. LTD.
NORTH EAST REGIONAL OFFICE
G.S. ROAD
BHANGAGARH
GUWAHATI -5
ASSAM

Advocate for the Petitioner : MR.I HAQUE

Advocate for the Respondent : MR.N ANANDR- 7,15,16,18,21,22,23and24R- 5and25

BEFORE
MS. KANCHAN NEWAR - JOINT REGISTRAR (VIGILANCE)

ORDER

Date : 01-11-2018

Case taken up before the Lawazima Court.

Learned counsel appears for the petitioner.

It is appeared from the office note dated 30.10.2018 that neither A/D card nor unserved notice have been returned back for respondent no. 10, 17, 19 and 20.

Perused the postal journals and upon perusal it appears that notices were issued to respondent no. 10, 17, 19 and 20 on 28.12.2016.

In view of Section 27 of General Clauses Act 1897, since notices were issued to the respondent no. 10, 17, 19 and 20 in the correct addresses with proper pin code on 28.12.2016, notices were deemed to be served on the said respondent no. 10, 17, 19 and 20.

Ld. counsel on behalf of respondent no. 5, 7, 15, 16, 18, 21, 22, 23, 24, 25 and 27 have filed vakalatnama.

Also perused reports of A/D card issued to respondent no. 4(a), 6, 8, 9, 11, 12, 13, 14 and 26 and found satisfactory in causing service of notices to said respondents, as appeared that notice to respondent no. 4 (a) was sent to in his official address and received accordingly, notice to respondent no. 6 is received by himself and notices to respondent no. 8, 9, 11, 12, 13 and 14 were received by respondent no. 6 on their behalf and whereas notice to respondent no. 23 was received by the addressee himself and notices to respondent no. 22, 24 and 26 are received by respondent no. 23 on their behalf and notice to respondent no. 27 was issued in the official address and received accordingly.

As service is complete, list the matter on 16.11.2018 as directed by the Hon'ble court.

Joint Registrar (Vigilance)