

GAHC010174752022



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

Case No. : WP(C)/5698/2022

SUMIT TALUKDAR
S/O- LT. SURESH TALUKDAR, R/O- KRISHNA NAGAR, P.O. BINNAKANDI
TEA, P.S. LAKHIPUR, DIST.- CACHAR, ASSAM, PIN- 788126

VERSUS

THE STATE OF ASSAM AND 5 ORS
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, DEPTT. OF
PANCHAYAT AND RURAL DEVELOPMENT, DISPUR, GHY, ASSAM, PIN-
781006

2:THE DY. COMMISSIONER
CACHAR
SILCHAR
ASSAM
PIN- 788001

3:THE CHIEF EXECUTIVE OFFICER
ZILA PARISHAD
CACHAR
SILCHAR
ASSAM
PIN- 788001

4:THE PRESIDENT
ZILA PARISHAD
CACHAR
SILCHAR
PIN- 788001

5:THE BLOCK DEVELOPMENT OFFICER
BINNAKANDI DEVELOPMENT BLOCK

CACHAR
ASSAM
PIN- 788126

6:THE PRESIDENT
BINNAKANDI ANCHALIK PANCHAYAT
PIN- 78812

Advocate for the Petitioner : MR. S K GHOSH

Advocate for the Respondent : SC, P AND R.D.

BEFORE
JOINT REGISTRAR (JUDL.)- MR. ARUP JYOTI BAISHYA

ORDER

Date : 18.11.2022

Case taken up before the Lawazima Court.

Learned counsel Mr. N. Chaudhury appears for the petitioner.

Seen the office note dated 18.11.2022 and it appears that notice was issued to the respondent Nos. 4 & 6 by registered post with A/D on 05.09.2022 but neither the A/D card nor the un-served notice has been received back.

Now, A perusal of the postal journal reveals that notice was issued to the said respondents in the addresses as mentioned in the cause title of the petition. Further, the track consignment report available with the case record reveals that notice in respect of the respondent Nos. 4 & 6 has been delivered on 12.09.2022 & 13.09.2022 respectively. Therefore, in view of Section 27 of General Clauses Act 1897 read with Order 5, Rule 9, Sub.Rule 5 (proviso) of the CPC, notice may be deemed to have been served upon the said respondents (respondent Nos. 4 & 6).

It may be stated that service upon the respondent Nos. 1, 2, 3 & 5 are complete as reflected in the order of the Hon'ble Court dated 01.09.2022.

In view of the above, the matter may be placed before the Hon'ble Court.

Joint Registrar (Judicial)

Comparing Assistant