

GAHC010187082020



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

Case No. : I.A.(Civil)/2280/2020

MD EUNWESH ALI @ MD UNSH ALI
S/O. LATE AYAB ALI @ AYUB ALI,
R/O. VILL. CHAKUMAKU,
MOUZA- GOVA, P.S. JAGIROAD, DIST. MORIGAON(ASSAM)

VERSUS

ON THE DEATH OF ATARHAN NESSA HER LEGAL HEIR AMIRAN NESSA
AND 7 ORS.
W/O. LATE AYAB ALI @ AYUB ALI, R/O. VILL. CHAKUMAKU, MOUZA-
GOVA, P.S. JAGIROAD, DIST. MORIGAON (ASSAM), PIN-782105

2:NOORJAHAN BEGUM
D/O. LATE AYAB ALI @ AYUB ALI
R/O. VILL. CHAKUMAKU
MOUZA- GOVA
P.S. JAGIROAD
DIST. MORIGAON (ASSAM)
PIN-782105

3:ATARJAN NESSA
D/O. LATE AYAB ALI @ AYUB ALI
R/O. VILL. CHAKUMAKU
MOUZA- GOVA
P.S. JAGIROAD
DIST. MORIGAON (ASSAM)
PIN-782105

4:HALIMA BEGUM
D/O. LATE AYAB ALI @ AYUB ALI
R/O. VILL. CHAKUMAKU
MOUZA- GOVA

P.S. JAGIROAD
DIST. MORIGAON (ASSAM)
PIN-782105

5:MANIKJAN NESSA
D/O. LATE AYAB ALI @ AYUB ALI
R/O. VILL. CHAKUMAKU
MOUZA- GOVA
P.S. JAGIROAD
DIST. MORIGAON (ASSAM)
PIN-782105

6:NUR MIYAN
S/O. HAREJ ALI
R/O. VILL. CHAKUMAKU
MOUZA- GOVA
P.S. JAGIROAD
DIST. MORIGAON (ASSAM)
PIN-782105

7:CHAND MAMUD
S/O. HAREJ ALI
R/O. VILL. CHAKUMAKU
MOUZA- GOVA
P.S. JAGIROAD
DIST. MORIGAON (ASSAM)
PIN-782105

8:ABDUL MALEK
S/O. IDRISH ALI
R/O. VILL. CHAKUMAKU
MOUZA- GOVA
P.S. JAGIROAD
DIST. MORIGAON (ASSAM)
PIN-78210

Advocate for the Petitioner : G UDDIN,

Advocate for the Respondent : ,

**BEFORE
DEPUTY REGISTRAR (BENCH) - MR. SAPTARSHI DAS**

ORDER

Date : 12.09.2024

Case taken up before the Lawazima Court.

Learned counsel Ms. P. Adhikari appears on behalf G. Uddin, learned counsel for the appellant.

Perused the records.

Seen the office note dated 11.09.2024, wherein, it has been stated that notice was issued to the respondent Nos. 1 to 8 by registered post with A/D as well as by usual process on 18.06.2022.

However, in regard to the aforesaid notice, it appears that no A/D cards or un-served notices or service reports have been received by the concerned section till date. Additionally, it seems that the postal track consignments details are also not available in respect of the respondents mentioned above.

In view of the above, it may be said that service of notice upon the respondent Nos. 1 to 8 has not been affected as of yet.

As such, **in view of the power conferred upon the Lawazima Court by the Division Bench (Comprising of Hon'ble the then Chief Justice (Acting), Mr. N. Kotiswar Singh and Hon'ble Mr. Justice Manish Choudhury) order dated 07.12.2020 passed in Writ Petition No. 4583/2015,** the appellant is directed to take fresh steps for service of notice upon the respondent Nos. 1 to 8 by registered post with A/D as well as by usual Court process through the office of the learned Civil Judge (Junior Division), Morigaon, within 7 (seven) days from the date of this order.

Let the matter be listed again before the Lawazima Court in the last week of October, 2024.

Deputy Registrar (Bench)

Comparing Assistant