

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 : 19.09.2025

Case taken up before the Lawazima Court.

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

Perused the records.

From a perusal of the office notes dated 07.12.2024 & 18.09.2025, it is discernible that notice was issued to the respondent Nos. 1 to 8 by registered post with A/D as well as by usual process on 07.12.2024. But, in regard to the aforesaid notices, it appears that no A/D cards or un-served notices or process server's reports have been received by the concerned section as of yet.

Despite the aforesaid, it has been observed that the postal track consignment reports regarding the notice issued through registered post with A/D to the respondents mentioned above are available with the case record, perusal of which reveals the following:—

Respondent Nos. 1, 2, 3, 4, 6 & 8:— The postal track consignment reports reveal that respective notices have been delivered to the addressees on 14.12.2024.

Respondent No. 7:— The postal track consignment report reveals that notice has been delivered to the addressee on 16.12.2024.

*Respondent No. 5:— The postal track consignment report shows the status as **"Dispatched to BO"** by **"Jagiroad S.O."** as on 13.12.2024.*

In view of the observations made above, it may be discerned that **service in respect of the respondent Nos. 1, 2, 3, 4, 6, 7 & 8 has been completed.**

Further, in respect of the respondent No. 5, it may be discerned that service of notice upon the said respondent could not be completed as of yet. As such, **the appellants are directed to take fresh steps for service of notice upon the respondent No. 5 by registered post with A/D as well as by usual process, within a period of 7(seven) days from the date of this order.**

Let the matter be listed again before the Lawazima Court on 31st of October, 2025.

Deputy Registrar (Bench)

Comparing Assistant