

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 : 12.02.2026

Case taken up before the Lawazima Court.

None appears on behalf of the appellant.

Perused the records.

Perusal of the instant case record reveals that notice was issued to the respondent No. 5 by way of speed post with A/D as well as by usual process on 27.10.2025.

Now, in respect of the above mentioned notices issued to the respondent No. 5, this Lawazima Court has observed as follows:—

*(i) In respect of the notice issued through usual process, it appears that a report has been received **(at Flag-'X')**, wherein, it has been stated that the notice was received by the office of the Civil Judge(Jr. Div.) No. 1, Morigaon, after the expiry of the fixed date. As such, notice has been returned un-served by the concerned authority.*

(ii) Further, it appears that neither the A/D card nor any un-served notice has been received in respect of the notice issued through speed post with A/D.

However, it appears that the postal track consignment report regarding the above mentioned notice has been generated and the same has been annexed with the case record at **Flag-'T3'**. Now, a perusal of the said postal tracking report reveals that notice in respect of the respondent No. 5 has been delivered on 18.11.2025.

In view of the observations made above, it may be presumed that **service of notice upon the respondent No. 5 has been completed.**

Accordingly, the matter may be placed before the Hon'ble Court.

Deputy Registrar (Bench)

Comparing Assistant