

GAHC010216552022



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

Case No. : WP(C)/7099/2022

KAILASH BARMAN
S/O- LATE PRAFULLA CH. BARMAN, R/O- SIXMILE V.I.P ROAD, SUNRISE
APARTMENT, CHANDAN NAGAR, TRIBENI PATH, P.O. KHANAPARA, P.S.
DISPUR, DIST. KAMRUP(M), GUWAHATI-22.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT.
OF ASSAM, AGRICULTURE DEPARTMENT, DISPUR, GUWAHATI-06.

2:THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM
WPT AND BC DEPARTMENT
DISPUR
GUWAHATI-06.

3:THE PRINCIPAL SECRETARY
ASSAM LEGISLATIVE ASSEMBLY
DISPUR
GUWAHATI-06.

4:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
AGRICULTURE DEPARTMENT
DISPUR
GUWAHATI-6.

5:THE DIRECTOR OF AGRICULTURE
ASSAM
AGRICULTURAL CAMPUS
KHANAPARA
GUWAHATI-22.

6: MOWSAM HAZARIKA
S/O- LATE TARAPRASAD HAZARIKA
R/O- VILL.- KUMARPARA
P.O. BHARALUMUKH
PIN- 781009
GUWAHATI
DIST. KAMRUP(M)
ASSAM

7: BENI MADHAB BARUA
S/O- BHUBAN CH. BARUAH
R/O- VILL.- KANAIGHAT
P.O. KANAIGHAT
VIA- LATAKUJAN
P.S. GOLAGHAT
DIST. JORHAT
ASSAM

8: MADHURAM PATIRI
JDA (PP) KHANAPARA
DIRECTORATE OF AGRICULTURE
AGRICULTURE CAMPUS
KHANAPARA
GUWAHATI-22

Advocate for the Petitioner : MR DEBA SARMAH, MS N SHYAM

Advocate for the Respondent : SC, AGRI. DEPARTMENT, MR R DHAR, SC, WPT & BC
DEPTT. ,MS S BARUAH, GA, ASSAM

BEFORE
JOINT REGISTRAR (JUDL.) MR. CHINMOY BARUAH

ORDER

Date : 11.12.2025

Case taken up before the Lawazima Court.

None appears on behalf of the petitioner.

Perused the records.

Perusal of the instant case record reveals that the Hon'ble Court vide its order dated 23.11.2022 had directed the petitioner to take fresh steps for service of notice upon the respondent Nos. 6, 7 & 8 by way of registered post with A/D.

However, a perusal of the recent office note dated 12.11.2025 reveals that the petitioner took fresh steps upon the respondent Nos. 6 & 7 only, leaving out respondent No. 8. Accordingly, the notice was issued to the respondent Nos. 6 & 7 by way of registered post with A/D on 02.12.2022.

Now, in respect of the aforesaid notice issued to the respondent Nos. 6 & 7, it has been observed as follows:–

Respondent No. 6:– In this regard, it appears that the A/D card of respondent No. 6 has been received and annexed with the case record at **Flag-‘AD’**. Now, a perusal of the said A/D card reveals that the A/D card bears the purported signature of the respondent No. 6. As such, it may be said that **service in respect of the said respondent (i.e., respondent No. 6) has been completed.**

Respondent No. 7:– Further, in this regard, it appears that neither the A/D card nor any un-served notice has been received by the concerned section till date. Additionally, the postal track consignment details regarding the said notice are also not available at the Indian Post Website.

In view of the observations made above, **this Lawazima Court is of the view that the petitioner shall take fresh steps for service of notice upon the respondent Nos. 7 & 8.**

Further, it appears that a mention has been allowed by the Hon’ble Court for listing the instant matter on 28.11.2025. Accordingly, the matter is laid before the Hon’ble Court.

Joint Registrar (Judicial)

Comparing Assistant