

GAHC010231202024



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

Case No. : RSA/202/2024

KHALILUR RAHMAN
S/O. LATE ABDUL KADIR, R/O. VILL. BHELAUGURI, MOUZA-
JAMUNAMUKH, P/S. DOBOKA, DIST. HOJAI, ASSAM, PIN-782120.

VERSUS

BAPURAM BASUMATARY AND 11 ORS
S/O. LATE RATNA BASUMATARY

2:MANIRAM BASUMATARY
S/O. LATE RATNA BASUMATARY

3:DULAL BASUMATARY
S/O. LATE RATNA BASUMATARY.

4:DUKHESWARI BASUMATARY
W/O. LATE RATNA BASUMATARY
ALL ARE R/O. VILL. BHELAUGURI
KACHARIGAON
MOUZA- JAMUNAMUKH
P/O. MADARTOLI
P/S. DOBOKA
DIST.- HOJAI
ASSAM
PIN-782120.

5:NAKUL CH. ROY
S/O. LATE BIJOY CH. ROY

6:PRAMADINI NAMASURA
W/O. KAMINI NAMASUDRA

7:KARANYA NAMASUDRA
S/O. KAMINI NAMASUDRA

8:BRAJENDRA NAMASUDRA
S/O/ LATE NITAI NAMASUDRA

9:RAJENDRA NAMASUDRA
S/O/ LATE NITAI NAMASUDRA

10:SURENDRA NAMASUDRA
S/O. LATE NITAI NAMASUDRA

11:KHOKANJURI LAL MATI PRIMARY BIDYALAYA
REP. BY ITS PRESIDENT.

12:MOHAN NAYAK
S/O. LATE GHASIRAM NAYAK
ALL ARE R/O. VILL.- BHELAUGURI
KACHARIGAON
MOUZA- JAMUNAMUKH
P/O. MADARTOLI
P/S. DOBOKA
DIST.- HOJAI
ASSAM
PIN-782120

Advocate for the Petitioner : G UDDIN, P ADHIKARI,MR A K AZAD

Advocate for the Respondent : MR. SHEELADITYA (R-1,2,3,4),

BEFORE
DEPUTY REGISTRAR (BENCH) - MR. SAPTARSHI DAS

ORDER

Date : 19.06.2025

Case taken up before the Lawazima Court.

Learned counsel Ms. P. Adhikari appears on behalf of the appellant. Heard.

Perused the records.

Perusal of the instant case record reveals that notice was issued to the respondent Nos.

7, 11 & 12 by registered post with A/D as well as by usual Court process on 19.12.2024.

Now, in respect of the aforesaid notices issued to the respondent Nos. 7, 11 & 12, it has been observed as follows:–

In respect of the notice issued through registered post with A/D:– In respect of the said notice, it appears that no A/D cards or un-served notices have been received by the concerned section till date.

Besides the aforesaid, it may be mentioned that the postal track consignment details regarding the above mentioned notice issued through registered post with A/D to the aforesaid respondents are also not available at the Indian Post Website.

In respect of the notice issued through usual Court process:– In this regard, it appears that the process server reports of the respondent Nos. 11 & 12 have been received while in respect of the respondent No. 7, no such report has been received by the concerned section as of yet.

Now, a perusal of the service reports of the respondent Nos. 11 & 12 reveals the following:–

(i) The respondent No. 11, i.e., "KhokanJuri Lal Mati Primary Bidyalay" has been relocated to different to location due to By-Pass road construction. As such, notice could not be served upon the said respondent.

(ii) The respondent No. 12 could not be found at the given address. As per the information received from witness, the said respondent currently resides in Amoni, Nagaon.

In view of the observations made above, this Lawazima Court is hereby directed the appellant to obtain proper instructions regarding the present addresses of the respondent Nos. 11 & 12, within 7 (seven) days from the date of this order.

Further, as far as the respondent No. 7 is concerned, the appellant is directed to take fresh steps for service of notice upon the said respondent by registered post with A/D as well as by usual process mode, as prescribe by the earlier order of the Hon'ble Court dated

29.11.2024. The said steps shall be taken by the appellant 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 July, 2025.

Deputy Registrar (Bench)

Comparing Assistant