

GAHC010245352025



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

Case No. : Cont.Cas(C)/567/2025

KAVITA DAS
RESIDENT OF H. NO. 4, BYE LANE NO. 4, SRIMANTAPUR, BHANGAGHAR,
GUWAHATI - 781032

VERSUS

DR RAVI KOTA AND 2 ORS.
IAS, CHIEF SECRETARY TO THE GOVERNMENT OF ASSAM, JANATA,
BHAWAN, DISPUR, GUWAHATI -781006

2:SRI AJAY TIWARI
IAS
ADDITIONAL CHIEF SECRETARY TO THE GOVERNMENT OF ASSAM
HOME AND POLITICAL 3 DEPARTMENT
JANATA
BHAWAN
DISPUR
GUWAHATI 781006

3:SHRI BISWAJIT PEGU
IAS
COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM
HOME AND POLITICAL DEPARTMENT
JANATA
BHAWAN
DISPUR
GUWAHATI -781006

Advocate for the Petitioner : MR. D DAS SR. ADV, IMSENKALA,MS. B CHOWDHURY,MR A
CHOWDHURY,MR D J HALOI,MR S DAS,MR. S A HUSSAIN

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 20.03.2026

(K.R. Surana, J)

Heard Ms. B. Chowdhury, learned counsel for the appellant.

2. The learned counsel for the petitioner has referred to the affidavit of service filed on 09.02.2026 and it is submitted that as per the postal track report, the notice was duly served on the respondent no.3 and moreover, the learned counsel for the petitioner had personally gone to the office of the respondent no.3 and the notice was personally served in the office of the Directorate of Census Operations, Assam, which is received by the competent person on 06.02.2026. However, the learned counsel for the petitioner further stated that after the date of service, the respondent no.3 has been transferred and is presently in a different department.

3. From the affidavit filed on 09.02.2026, filed by the petitioner regarding service of notice, the Court is satisfied that notice is duly served on respondent no.3 by speed post as well as by dasti mode. However, none appears on call for the respondent no.3.

4. The learned counsel for the petitioner has submitted that a new incumbent has joined as a Commissioner & Secretary to the Govt. of Assam, Home & Political Department, and accordingly, she prays for some time to file an interlocutory application for impleading the new incumbent.

5. The petitioner shall put the new incumbent to notice of the

requirement to comply with the judgment and order dated 20.06.2025, passed in WA 59/2023 and thereafter, file an interlocutory application for impleading if the order is still not complied with.

6. The learned counsel for the petitioner also prays leave of the Court to serve notice on the respondent no.2 by way of dasti.

7. Prayer is allowed. Notice on respondent no.2 is made returnable on 01.04.2026.

8. The notice shall be processed through the Registry of this Court and affidavit of service shall be filed prior to the next date of listing.

9. List this matter on 01.04.2026.

JUDGE

JUDGE

Comparing Assistant