

GAHC010258932024



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

Case No. : WP(C)/6539/2024

AVTAR SINGH
SON OF AJIT SINGH
RESIDENT OF INTERNATIONAL SCHOOL,
NEAR KALI MATA MANDIR ROAD,
NALAPARA, POST OFFICE- SAWKICHI,
POLICE STATION- BASIST, GAUHATI,
DISTRICT- KAMRUP METROPOLITAN,
ASSAM- 781040.

VERSUS

THE STATE OF ASSAM AND 7 ORS
DEPARTMENT OF HOME AFFAIRS,
THROUGH ITS PRINCIPAL SECRETARY,
ASSAM SECRETARIAT, BLOCK A,
2ND FLOOR, DISPUR, GUWAHATI,
ASSAM- 781006.

2:DIRECTOR GENERAL OF POLICE
STATE OF ASSAM
ASSAM POLICE HEADQUARTERS

ULUBARI
GUWAHATI- 781007.

3:SUPERINTENDENT OF POLICE
DISTRICT KAMRUP
GUWAHATI
ASSAM.

4:STATION HOUSE OFFICER
POLICE STATION BASISTHA

BELTOLA CHARIALI
NEAR NH37

GUWAHATI
ASSAM.

5:REVERVE BANK OF INDIA
CENTRAL VISTA
SECTOR 17
CHANDIGARH
THROUGH ITS REGIONAL DIRECTOR.

6:RESERVE BANK OF INDIA
500X PLUS 7WS
STATION RD.

MAWHATI
PAN BAZAAR
GUWAHATI
ASSAM 781001

THROUGH ITS AUTHORIZED OFFICER.

7:YES BANK LIMITED
HOUSE
OFF WESTERN EXPRESS HIGHWAY

SANTACRUZ (EAST)
MUMBAI- 400055
THROUGH ITS CHAIRMAN-CUM-MANAGING DIRECTOR.

8:YES BANK LIMITED
1ST FLOOR
MEGHA PLAZA COMPLEX

BELTOLA
CHARIALI
GUWAHATI

ASSAM- 781028

THROUGH ITS BRANCH MANAGER

Advocate for the Petitioner : MD A ISLAM,

Advocate for the Respondent : GA, ASSAM, MR. H S BORAH (R5, R6),MR. P HAZARIKA (R5, R6)

**BEFORE
DEPUTY REGISTRAR (BENCH) - MR. SAPTARSHI DAS**

ORDER

Date : 26.03.2026

Case taken up before the Lawazima Court.

None appears on behalf of the petitioner.

Perused the records.

Perusal of the recent office note dated 11.03.2026 reveals that notice was issued to the respondent Nos. 5, 6, 7 & 8 by way of registered post with A/D and by way of usual process mode on 13.12.2024.

Meanwhile, it appears that learned counsels have entered appearance on behalf of respondent Nos. 5 & 6 by filing their Vakalatnama. Accordingly, **service of notice upon the aforementioned respondents (i.e., respondent Nos. 5 & 6) is deemed complete.**

Further, in respect of the notices issued to the remaining respondent, i.e., respondent Nos. 7 & 8, it has been observed as follows:–

Respondent No. 7:– (i) *No A/D card or un-served notice has been received in respect of the notice issued through registered post with A/D. Additionally, the postal tracking report regarding the said notice is also not available at the Indian Post Website.*

(ii) *As for the notice issued through usual process, a communication dated 21.01.2025 (annexed at Flag-'SR' in the Part-III file) has been received from the office of the learned Registrar (Judl.-II), High Court, Appellate Side, Bombay. Vide the said communication, it has been informed that the notice was received by the said office on 20.01.2025, i.e. after the date of hearing mentioned in the order copy of the Hon'ble Court annexed with the notice. As such, notice has been returned un-served by the said office.*

Respondent No. 8:– (i) *In respect of the notice issued through usual process, the process server's report is still not received by the Registry.*

(ii) *However, in respect of the notice issued through registered post with A/D, it appears that the A/D (annexed at Flag-'AD' in the Part-III file) has been received, perusal of*

which reveals that the said A/D card bears the purported signature of the respondent.

In view of the observations made above, this Lawazima Court may discern as follows:–

(i) Service of notice upon the respondent No. 8 may be deemed complete.

(ii) As for the respondent No. 7, presumption of service of notice upon the said respondent cannot be drawn.

In view of the above, the petitioner is directed to take fresh steps for service of notice upon the respondent No. 7 by way of speed post mode ***[in terms of the Notification No. 85 dated 15th October, 2025 (at Flag-'N')]*** and by way of usual process mode ***[in terms of the Hon'ble Court's order dated 09.12.2024].***

Let the matter be listed again before the Lawazima Court on 30.04.2026.

Deputy Registrar (Bench)

Comparing Assistant