

GAHC010262932024



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

Case No. : WP(C)/54/2025

SMTI. JYOTIKA TERON AND 3 ORS.
W/O LATE KARUNA KANTA TERON, R/O VILL- PAMOHI (MOINA
KHURUNG), NEAR PHC, P.O. AND P.S.-GARCHUK, GUWAHATI, KAMRUP
(M), ASSAM, PINCODE-781040

2: PRIYANKA TERON
D/O LATE KARUNA KANTA TERON
R/O VILL- PAMOHI (MOINA KHURUNG)
NEAR PHC
P.O. AND P.S.-GARCHUK
GUWAHATI
KAMRUP (M)
ASSAM
PINCODE-781040

3: DIGAMBAR TERON
S/O LATE KARUNA KANTA TERON
R/O VILL- PAMOHI (MOINA KHURUNG)
NEAR PHC
P.O. AND P.S.-GARCHUK
GUWAHATI
KAMRUP (M)
ASSAM
PINCODE-781040

4: TARULATA TERON
D/O LATE KARUNA KANTA TERON
R/O VILL- PAMOHI (MOINA KHURUNG)
NEAR PHC
P.O. AND P.S.-GARCHUK
GUWAHATI
KAMRUP (M)
ASSAM
PINCODE-78104

VERSUS

RATUL BAISHYA AND 14 ORS.

S/O LATE RAMESWAR BAISHYA AND MOTHER OF LATE PUTUL BAISHYA,
R/O AZARA, P.O. AND P.S.-AZARA, DIST- KAMRUP (M), ASSAM, PIN-781017

2:CHANDAN BAISHYA

S/O LATE RAMESWAR BAISHYA AND MOTHER - LATE PUTUL BAISHYA
R/O AZARA
P.O. AND P.S.-AZARA
DIST- KAMRUP (M)
ASSAM
PIN-781017

3:DILIP BAISHYA

S/O LATE RAMESWAR BAISHYA AND MOTHER - LATE PUTUL BAISHYA
R/O AZARA
P.O. AND P.S.-AZARA
DIST- KAMRUP (M)
ASSAM
PIN-781017

4:SMTI. BIMALA BAISHYA

D/O LATE RAMESWAR BAISHYA AND MOTHER - LATE PUTUL BAISHYA
R/O AZARA
P.O. AND P.S.-AZARA
DIST- KAMRUP (M)
ASSAM
PIN-781017

5:SMTI. PADUMI BAISHYA

D/O LATE RAMESWAR BAISHYA AND MOTHER - LATE PUTUL BAISHYA
R/O AZARA
P.O. AND P.S.-AZARA
DIST- KAMRUP (M)
ASSAM
PIN-781017

6:SMTI. LIPIKA BAISHYA

D/O LATE RAMESWAR BAISHYA AND MOTHER - LATE PUTUL BAISHYA
R/O AZARA
P.O. AND P.S.-AZARA
DIST- KAMRUP (M)
ASSAM
PIN-781017

7:PRASANA TERON

S/O LATE KAMINI TERONG
R/O PAMOHI
P.O. AND P.S.-GARCHUK
GUWAHATI
KAMRUP (M)
ASSAM
PIN-781040

8:SABITA TERON
W/O LATE BIREN TERON
R/O PAMOHI
P.O. AND P.S.-GARCHUK
GUWAHATI
KAMRUP (M)
ASSAM
PIN-781040

9:SANKAR TERON
S/O LATE MAMAT TERON
R/O VILL- PAMOHI (MOINA KHURUNG)
NEAR PHC
P.O. AND P.S.-GARCHUK
GUWAHATI
KAMRUP (M)
ASSAM
PIN-781040

10:GUNESWAR TERON
S/O LATE MAMAT TERON
R/O VILL- PAMOHI (MOINA KHURUNG)
NEAR PHC
P.O. AND P.S.-GARCHUK
GUWAHATI
KAMRUP (M)
ASSAM
PIN-781040

11:GOBINDA TERON
S/O LATE JAMIN TERON
R/O VILL- PAMOHI (MOINA KHURUNG)
NEAR PHC
P.O. AND P.S.-GARCHUK
GUWAHATI
KAMRUP (M)
ASSAM
PIN-781040

12:GOPAL TERON

S/O LATE JAMIN TERON
R/O VILL- PAMOHI (MOINA KHURUNG)
NEAR PHC
P.O. AND P.S.-GARCHUK
GUWAHATI
KAMRUP (M)
ASSAM
PIN-781040

13:TARUN TERON
S/O LATE JAMIN TERON
R/O VILL- PAMOHI (MOINA KHURUNG)
NEAR PHC
P.O. AND P.S.-GARCHUK
GUWAHATI
KAMRUP (M)
ASSAM
PIN-781040

14:MUKUL TERON
S/O LATE JAMIN TERON
R/O VILL- PAMOHI (MOINA KHURUNG)
NEAR PHC
P.O. AND P.S.-GARCHUK
GUWAHATI
KAMRUP (M)
ASSAM
PIN-781040

15:PROTIVA BORO
W/O AJAY KR. RABHA
R/O HOUSE NO. 11
JAPORIGOG
LAKHI NAGAR
P.O. AND P.S.-DISPUR
GUWAHATI
KAMRUP (M)
ASSAM
PIN-78100

Advocate for the Petitioner : MR. FIRUZ KHAN, P. NATH, RHITUSHREE TALUKDAR, MR. ABHIJIT MENA, MR. T K DAS, MR U CHAUDHURY

Advocate for the Respondent : MR H K DAS, MR S ISLAM(R-7,8,11,12,13,14), MR S H MAHMUD(R-7,8,11,12,13,14), MS. D BORA(R-7,8,11,12,13,14), MS. F RAHMAN(R-7,8,11,12,13,14), MR. A GONI (R-7,8,11,12,13,14), MR. M U MAHMUD(R-7,8,11,12,13,14), SC, GHC

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

ORDER

Date : 25.04.2025

Case taken up before the Lawazima Court.

Learned counsel Mr. Abhijit Mena appears on behalf of the petitioners. Heard.

Perused the records.

Perusal of the instant case record reveals that the previous Lawazima Court vide its order dated 28.02.2025 had directed the petitioners to take fresh steps for service of notice upon the respondent Nos. 7, 8, 9, 10, 11, 12, 13 & 14 by way of *dasti mode*.

Accordingly, it appears from the office note dated 23.04.2025 that notice was issued to the aforesaid respondents (*i.e. respondent Nos. 7, 8, 9, 10, 11, 12, 13 & 14*) by way of *dasti mode* on 07.03.2025.

Now, in respect of the aforementioned notice issued to the respondents, it appears that the petitioners have filed an affidavit regarding service of *dasti notice* upon the respondent Nos. 7, 8, 9, 10, 11, 12, 13 & 14. In the said affidavit, it has been *inter alia* stated that:—

“..... notice by way of dasti has been served upon the Respondent nos. 7, 8, 9, 10, 11, 12, 13 and 14 on 19.03.2025. That as the Respondent no. 7 was out for work, the notice was received by his wife, Smti. Mayarani Teron, on his behalf. That as the Respondent no. 9 was not at home, the notice was received by his brother, the Respondent no. 10 on his behalf. That as the Respondent no. 11 was not at home, the notice was received by his brother, the Respondent no. 14, on his behalf. That as

the Respondent No. 13 was out for work, the notice was received by his wife, Smti. Ambika Teron, on their behalf

In addition to the aforesaid, it appears that the learned counsels have also entered appearance on behalf of the respondent Nos. 7, 8, 11, 12, 13 & 14 by filing Vakalatnama.

In view of the above, it may be said that **service in respect of the respondent Nos. 7, 8, 9, 10, 11, 12, 13 & 14 has been completed.**

Further, it has been observed that the previous Lawazima Court vide its order dated 28.02.2025 had directed the concerned section to take necessary steps for furnishing the postal track consignment details regarding the notice dated 06.02.2025 issued via registered post with A/D to the respondent Nos. 1, 2, 3, 4, 5, 6 & 15.

Now, in respect of the aforesaid direction of the Lawazima Court, it appears that the concerned section has procured the track consignment reports and annexed the same at **Flag-‘TC’ in part-III file.**

Further, perusal of the said track consignment reports reveals that the notice in respect of the respondent Nos. 1, 2, 3, 4, 5, 6 & 15 has been delivered to the addressees on 11.02.2025. As such, it may be said that **service in respect of the respondent Nos. 1, 2, 3, 4, 5, 6 & 15 has been completed.**

In view of the above, the matter is laid before the Hon’ble Court.

Deputy Registrar (Bench)

Comparing Assistant