

GAHC010165652022



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

Case No. : WP(C)/5512/2022

JYOTI PRASAD DAS
(ASSISTANT ENGINEER , TINSUKIA MUNICIPAL BOARD)
S/O- TARUN CHANDRA DAS ,
R/O- BORDUBI NAVAPUR GAON, P.O- HOOGRIJAN,
P.S- TINSUKIA, DIST- TINSUKIA, PIN-786125, ASSAM

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, DEPARTMENT OF HOUSING AND URBAN
AFFAIRS (ERSTWHILE URBAN DEVELOPMENT DEPARTMENT), ASSAM
SECRETARIAT DISPUR, GUWAHATI-06.

2:JOINT SECRETARY
TO THE GOVERNMENT OF ASSAM
DEPARTMENT OF HOUSING AND URBAN AFFAIRS
ASSAM SECRETARIAT DISPUR
GUWAHATI-06

3:THE DIRECTOR
DIRECTORATE OF MUNICIPAL ADMINISTRATION
ASSAM
GUWAHATI- 781006.

4:THE MANAGING DIRECTOR
ASSAM URBAN WATER SUPPLY AND SEWERAGE BOARD
GANESHGURI
GUWAHATI-781005

5:THE CHAIRMAN
TINSUKIA MUNICIPAL BOARD

DIST- TINSUKIA
PIN-786126
ASSAM

6:GAURAB BARMAN
ASSISTANT ENGINEER
ASSAM URBAN WATER SUPPLY AND SEWERAGE BOARD
DIBRUGARH DIVISION CUM ASSISTANT EXECUTIVE ENGINEER
TINSUKIA MUNICIPAL BOARD

DIST- TINSUKIA
PIN-786126
ASSA

Advocate for the Petitioner : MR. A R SHOME

Advocate for the Respondent : GA, ASSAM

BEFORE
JOINT REGISTRAR (JUDL.) MR. CHINMOY BARUAH

ORDER

Date : 11.09.2023

Case taken up before the Lawazima Court.

None appears for the petitioner.

Perused the records.

The office note dated 07.09.2023 reveals that notice was issued to the respondent Nos. 4 & 5 by registered post with A/D on 25.05.2023.

The office note further reveals that learned counsels have entered appearance on behalf of the respondent No. 5 by filing Vakalatnama. As such, service is complete in respect of the said respondent (respondent No. 5).

In respect of the respondent No. 4, it appears that the A/D card has been received back. A perusal of the said A/D card reveals that the A/D card does not bear the initial of the recipient. Further, the track consignment detail is also not available. As such, it cannot be said that notice was properly served on the said respondent.

It further appears that the petitioner has not taken steps by usual Court process as directed by the previous Lawazima Court vide order dated 16.05.2023

In view of the above, the petitioner is directed to take fresh steps for service of notice on the respondent No. 4 by registered post with A/D as well as by usual Court process within 15 (fifteen) days.

Let the matter be listed again before the Lawazima Court in the second week of October, 2023.

Joint Registrar (Judicial)

Comparing Assistant