

GAHC040000452023



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

Case No. : IA(C) 7/2023

1: THE UNION OF INDIA and 9 Ors.

Through the Cabinet, Secretary to the Govt. of India, Cabinet Secretariat, Rashtrapati Bhawan, New Delhi 110001

2: The Secretary
Ministry of Defence
Gov.t of India
Central Secretariat
101 A
South Block
Kamraj Road
Vijay Chowk Area
New Delhi 110011

3: The General Officer
Commanding In Chief
Headquarter Army
Eastern Command
Fort William
Kolkata 700021. West Bengal

4: The General Officer
Commanding In Chief

Headquarter Army
Eastern Command
Fort William
Kolkata 700021
West Bengal

5: The General Officer Commanding
56 Infantry Division
Likabali Military Station
Vill and PO Madhuri Pathar
District Dhemaji
Assam 787059

6: The Commanding Officer
8 Maratha Light Infantry Regiment
Tuting Camp
Upper Siang District
AP

7: The Directorate General Defence Estates
Raksha Sampada Bhawan
Ulan Batar Road
Ministry of Defence
Delhi Cantt. 110010

8: The Principal Director of Defence Estates
Ministry of Defence
Eastern Command
Kolkata
1st and 2nd Floor
AC 4. 4/1
Belvedere Road
Alipore
Kolkata 700027

9: The Director
Defence Estates
Ministry of Defence
Eastern Command
Kolkata
1st and 2nd Floor
AC 4
4/1
Kolkata 700027

10: The Defence Estates Officer
Itanagar Circle Camp
At Model Village
Naharlagun

AP 79111

VERSUS

1:THE STATE OF AP and 17 Ors.

Represented by the Chief Secretary, Govt. of AP. Itanagar, PO/PS Itanagar, Papum
Pare Dist. AP

2:The Secretary

Land Management

Govt. of AP Itanagar

PO/PS Itanagar

Papum Pare Dist. AP

3:The Director

Land Management

Govt. of AP

Itanagar

PO/PS Itanagar

Papum Pare Dist.

AP

4:The Deputy Commissioner

Yingkiong Upper Siang District

Govt. of A.P

PO/PS Yingkiong

AP

5:The Addl. Deputy Commissioner

Tuting

PO/PS Tuting

Upper Siang District

AP

6:The District Land Record and Settlement Officer

Yingkiong Upper Siang District

AP

7:Linggong Ninggo

S/o Lt. Baling Ninggo

R/o Vill Mingging

PO/PS Tuting

District Upper Siang
AP

8:Muklut Lonchung
S/o Shri Kakek Lonchung

R/o Vill Mingging
PO/PS Tuting
District Upper Siang
AP

9:Kiro Tangu
S/o Lt. Hinggong Lonchung

R/o Vill Mingging
PO/PS Tuting
District Upper Siang
AP

10:Dino Tali
S/o Shri Lupang Tali

R/o Vill. Mingging
PO/PS Tuting
District Upper Siang
AP

11:Yapang Ninggo
S/o Lt. Yajong Ninggo

R/o Vill. Mingging
PO/PS Tuting
District Upper Siang
AP

12:Megot Lonchung
S/o Lt. Taser Lonchung

R/o Vill Mingging
PO/PS Tuting
District Upper Siang
AP

13:Gibo Medo
S/o Lt. Kikit Medo

R/o Vill. Mingging
PO/PS Tuting
District Upper Siang
AP

14:Pangkit Duggong
S/o Shri Amut Duggong

R/o Vill Mingging
PO/PS Tuting
District Upper Siang
AP

15:Lanjong Medo
S/o Late Kikit Medo

R/o Vill. Mingging
PO/PS Tuting
District Upper Siang
AP

16:Banggo Duggong
S/o Shri Amut Duggong

R/o Vill. Mingging
PO/PS Tuting
District Upper Siang
AP

17:Akut Duggong
S/o Shri Chokeng Duggong

R/o Vill. Mingging
PO/PS Tutin
District Upper Siang
AP

18:Pedir Lonchung
S/o Shri M. Lonchung

R/o VII. Mingging
PO and PS Tuting
District Upper Siang
A

Advocate for the Petitioner : Marto Kato

Advocate for the Respondent : GA (AP)

Linked Case : WP(C) 96/2021

1:Linggong Ninggo and 11 Ors.
S/O LT. BALING NINGGO
AGED ABOUT 60 YRS. PERMANENT RESIDENT OF OF MINGGING VILLAGE
PO/PS TUTING
DISTRICT UPPER SIANG
AP.

2: SHRI MUKKUT LONCHUNG
S/O SHRI KAKEK LONCHUNG
PERMANENT RESIDENT OF OF MINGGING
PO/PS TUTING
DISTRICT UPPER SIANG
AP.

3: SHRI KIRO TANGU
S/O LT. HINGGONG LONCHUNG
PERMANENT RESIDENT OF OF MINGGING
PO/PS TUTING
DISTRICT UPPER SIANG
AP.

4: SHRI DINO TALI
S/O SHRI LUPANG TALI
PERMANENT RESIDENT OF OF MINGGING
PO/PS TUTING
DISTRICT UPPER SIANG
AP.

5: SHRI YAPANG NINGGO
S/O LT. YAJONG NINGGO
PERMANENT RESIDENT OF OF MINGGING

PO/PS TUTING
DISTRICT UPPER SIANG
AP.

6: SHRI MEGOT LONCHUNG
S/O LT. TASER LONCHUNG
PERMANENT RESIDENT OF OF MINGGING
PO/PS TUTING
DISTRICT UPPER SIANG
AP.

7: SHRI GIBO MEDO
S/O LT. KIKIT MEDO
PERMANENT RESIDENT OF OF MINGGING
PO/PS TUTING
DISTRICT UPPER SIANG
AP.

8: SHRI PANGKIT DUGGONG
S/O SHRI AMUT DUGGONG
PERMANENT RESIDENT OF OF MINGGING
PO/PS TUTING
DISTRICT UPPER SIANG
AP.

9: SHRI LANJONG MEDO
S/OLT. KIKIT MEDO
PERMANENT RESIDENT OF OF MINGGING
PO/PS TUTING
DISTRICT UPPER SIANG
AP.

10: SHRI BANGGO DUGGONG
S/O SHRI AMUT DUGGONG
PERMANENT RESIDENT OF OF MINGGING VILLAGE
PO/PS TUTING
DISTRICT UPPER SIANG
AP.

11: SHRI AKUT DUGGONG
S/O SHRI CHOKENG DUGGONG
PERMANENT RESIDENT OF OF MINGGING VILLAGE
PO/PS TUTING
DISTRICT UPPER SIANG
AP.

12: SHRI PEDIR LONCHUNG
S/O SHRI M.LONCHUNG

PERMANENT RESIDENT OF OF MINGGING VILLAGE
PO/PS TUTING
DISTRICT UPPER SIANG
AP.

13: SHRI PEDIR LONCHUNG
S/O SHRI M.LONCHUNG
PERMANENT RESIDENT OF OF MINGGING VILLAGE
PO/PS TUTING
DISTRICT UPPER SIANG
AP.
VERSUS

1:THE UNION OF INDIA
THROUGH THE CABINET SECRETARY TO THE GOVT. OF INDIA
CABINET SECRETARIAT
RASHTRAPATI BHAWAN
NEW DELHI.

2:THE SECRETARY
MINISTRY OF DEFENCE
GOVT. OF INDIA
CENTRAL SECRETARIAT
101-A
SOUTH BLOCK
KAMRAJ ROAD
VIJAY CHOWK AREA
NEW DELHI.

3:THE GENERAL OFFICER COMMANDING-IN-CHIEF
HEADQUARTER ARMY EASTERN COMMAND
FORT WILLIAM
KOLKATA
WEST BENGAL

4:THE GERAL OFFICER COMMANDING
3 CORPS
RANGAPHAR MILITARY STATION
DISTRICT DIMAPUR NAGALANG
NAGALAND.

5:THE GENERAL OFFICER COMMANDING
56 INFANTRY DIVISION
LIKABALI MILITARY STATION
VILL AND PO MADHURI PATHAR
DISTRICT DHEMAJI
ASSAM.

6:THE COMMANDING OFFICER
8 MARATHA LIGHT INFANTRY REGIMENT
TUTING CAMP
UPPER SIANG DISTRICT
AP.

7:THE DIRECTOR GENERAL DEFENCE ESTATES
RAKSHA SAMPADA BHAWAN
ULAANBAATAR ROAD
MINISTRY OF DEFENCE
DELHI CANTT.

8:THE PRINCIPAL
DEFENCE ESTATES MINISTRY DEFENCE EASTERN COMMAND
13 CAMAC STREET
7 TH FLOOR
KOLKATA.

9:THE DIRECTOR
DIRECTORATE DEFENCE ESTATES
MINISTRY OF DEFENCE
EASTERN COMMAND 13
CAMAC STREET
7TH FLOOR
KOLKATA.

10:THE DEFENCE ESTATES OFFICER
ITANAGA CIRCLE
CAMP AT MODEL VILLAGE
NAHARLAGUN
AP.

11:THE STATE OF AP
REPRESENTED BY THE CHIEF SECRETARY
GOVT. OF AP
ITANAGAR
PO/PS ITANAGAR
PAPUM PARE DIST. AP.

12:THE SECRETARY LAND MANAGEMENT
GOVT. OF AP
ITANAGAR
PO/PS ITANAGAR
PAPUM PARE DIST. AP.

13:THE DIRECTOR LAND MANAGEMENT
GOVT. OF AP
ITANAGAR

PO/PS ITANAGAR
PAPUM PARE DIST. AP.

14:THE DEPUTY COMMISSIONER
YINGKIONG UPPER SIANG DISTRICT
GOVT. OF AP
PO/PS YINGKIONG
AP.

15:THE ADDL. DEPUTY COMMISSIONER
TUTING
PO/PS TUTING
UPPER SIANG DISTRICT
AP.

16:THE DISTRICT LAND RECORD AND SETTLEMENT OFFICER
YINGKIONG UPPER SIANG DISTRICT
AP.

Advocate for the Petitioner : Nikita Danggen
Advocate for the Respondent : GA (AP)

BEFORE
HONBLE MR. JUSTICE NANI TAGIA

ORDER

Date : 20.01.2023

Heard Mr. M. Kato, learned DSGI representing the applicants/Union of India and also heard Mr. O. Duggong, learned counsel for the opposite parties/writ petitioner as well as Ms. P. Pangu, learned Government Advocate for the State of Arunachal Pradesh.

This is an application for striking off the name of the Cabinet Secretary to the Govt. of India, who has been arrayed as respondent No.1 in WP(C)96/2021, contending that the Cabinet Secretary to the Govt. of India is not a necessary party in WP(C)96/2021.

The prayer made by the applicants in this instant application has not been opposed to by Mr. Duggong, learned counsel for the opposite parties/writ petitioner as well as Ms. P. Pangu, learned Government Advocate for the State of Arunachal Pradesh.

In view of the above, this interlocutory application is allowed.

Accordingly, the Cabinet Secretary to the Govt. of India, who has been arrayed as respondent No.1 in WP(C)96/2021 shall stand struck off from the array of respondents in WP(C)96/2021.

Registry shall make necessary correction in the Cause-title of WP(C)96/2021 in terms of this order.

Interlocutory application stands allowed and disposed of with the above direction.

JUDGE

Comparing Assistant