

GAHC040001552023



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

Case No. : WP(C) 57/2023

1:Taba Raju
S/o Late Taba Tapo,
Permanent Resident of Emchi Village, PO/PS Doimukh, District Papum Pare,
Arunachal Pradesh.
Mob. 7005255843

VERSUS

1:THE STATE OF AP and 6 Ors.
Represented by the Chief Secretary, Govt. of Arunachal Pradesh.

2:The Deputy Commissioner
Yupia
Papum Pare District
Arunachal Pradesh.

3:The Land Revenue and Settlement Officer
Yupia
District Papum Pare
Govt. of Arunachal Pradesh.

4:The Sub Divisional Officer
(SDM)
District Papum Pare
Arunachal Pradesh
Doimukh
Govt. of Arunachal Pradesh.

5:The Circle Officer
Gumto

PO/PS Doimukh
District Papum Pare
Arunachal Pradesh.

6:The Project Manager
Starlite Private Limited
Head Office
North Lakhimpur
Assam.

7:Nabam Epo
S/o Late Nabam Echu

Residence of Tayang Tarang Village (Emchi)
PO/PS Doimukh
District Papum Pare
Arunachal Pradesh

Advocate for the Petitioner : Arup Bhattacharjee

Advocate for the Respondent : GA (AP)

BEFORE
HONBLE MR. JUSTICE NANI TAGIA

ORDER

Date : 09.02.2023

Heard Mr. A. Bhattacharjee, learned counsel for the petitioner. Also heard Mr. G. Ete, learned Additional Senior Government Advocate for the State respondents.

This writ petition is directed against the order dated 18.10.2022, passed by the SDO-Cum-Executive Magistrate, Doimukh, Papumpare District in Case No. DMK/LR-13/2013 **Shri Nabam Epo (complainant) Versus Shri Tana Tasap & Ors (respondents)** whereby, Shri Nabam Epo (complainant) has

been held to be entitled to possession of the Mithun Farm located at Emchi village Doimukh, Papumpare District measuring 70.00 hectares area until evicted after decision of title suit by the competent Court and thereby all the respondents were forbidden from causing any disturbance of such lawful possession of Shri Nabam Epo (complainant).

In the order dated 18.10.2022, it has been shown that the respondent parties, who had appeared in person were namely, Shri Tana Tasap, Shri Techhi Rimpum and Mr. Tana Tekhi, Head Gaon Bura Emchi village with Mr. Teschi Hinda, GPM Emchi village.

The petitioner, who has filed this petition in this Court is Shri Taba Raju. The learned counsel for the petitioner is not able to show before this Court that Shri Taba Raju, the present petitioner was one of the party in Case No. DMK/LR-13/2013, in which case, the impugned order dated 18.10.2022 has been passed by the SDO-Cum-Executive Magistrate, Doimukh, Papumpare District.

In view of above, since the petitioner was not a party to the Case No. DMK/LR-13/2013, the petitioner appears to have *prima facie* no *locus standi* to challenge the order dated 18.10.2022 passed by the SDO-Cum-Executive Magistrate, Doimukh, Papumpare District in Case No. DMK/LR-13/2013.

In view of the above, the writ petition stands dismissed.

Notwithstanding the dismissal of the writ petition, it shall not be a bar for the petitioner to approach this Court again challenging the order dated 18.10.2022 passed by the SDO-Cum-Executive Magistrate, Doimukh, Papumpare District in Case No. DMK/LR-13/2013, if the interest of the

petitioner is affected in any manner through the respondents of the Case No. DMK/LR-13/2013.

JUDGE

Comparing Assistant