

GAHC040002602023



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

Case No. : IA(C)/37/2023

Tachu Nabam and 69 Ors.
S/o Lt. Taya Nabam,
Pakke Kessang Circle, District East Kameng, Arunachal Pradesh. PO/PS Pakke
Kessang (AP) 2: Yamar Nabom

Age:

Occupation :

3: Yadik Techhi

Age:

Occupation :

4: Masam Nabam

Age:

Occupation :

5: Laniang Nabam

Age:

Occupation :

6: Charpa Nabam

Age:

Occupation :

7: Yahang Nabam

Age:

Occupation :

8: Nabam Budh Hina

Age:

Occupation :

9: Tajik Techhi

Age:

Occupation :

10: Rata Techhi

Age:

Occupation :

11: Sinku Techhi

Age:

Occupation :

12: Rana Techhi

Age:

Occupation :

13: Tadap Nabam

Age:

Occupation :

14: Koni Nabam

Age:

Occupation :

15: Yate Techhi

Age:

Occupation :

16: Yadi Nabam

Age:

Occupation :

17: Nabam Girang

Age:

Occupation :

18: Yapu Techì

Age:

Occupation :

19: Yadik Techì

Age:

Occupation :

20: Yahak Techì

Age:

Occupation :

21: Mango Nabam

Age:

Occupation :

22: Ngurang Yasum

Age:

Occupation :

23: Ngurang Gunia

Age:

Occupation :

24: Nabam Nai

Age:

Occupation :

25: Doch Techì

Age:

Occupation :

26: Tajung Nabam

Age:

Occupation :

27: Ada Nabam

Age:
Occupation :

28: Riche Tana
Age:
Occupation :

29: Yami Nabam
Age:
Occupation :

30: Sonam Nabam
Age:
Occupation :

31: Yaring Nabam
Age:
Occupation :

32: Bida Ngurang
Age:
Occupation :

33: Nyoro Saji
Age:
Occupation :

34: Parkap Saji
Age:
Occupation :

35: Tulu Saji
Age:
Occupation :

36: Ata Tok
Age:
Occupation :

37: Tabin Nabum

Age:

Occupation :

38: Tachi Nabam

Age:

Occupation :

39: Tajuk Nabam

Age:

Occupation :

40: Logu Nabam

Age:

Occupation :

41: Tagam Nabam

Age:

Occupation :

42: Hina Nabam Bodha

Age:

Occupation :

43: Ram Techhi Tara

Age:

Occupation :

44: Rongku Techhi

Age:

Occupation :

45: Jerang Techhi

Age:

Occupation :

46: Bida Nabam

Age:

Occupation :

47: Yalum Tana Nabam

Age:

Occupation :

48: Techì John

Age:

Occupation :

49: Hania Tana

Age:

Occupation :

50: Yasum Saji

Age:

Occupation :

51: Tajik Nabam

Age:

Occupation :

52: Tajum Nabam

Age:

Occupation :

53: Tana Techì

Age:

Occupation :

54: Turkin Nabam

Age:

Occupation :

55: Dadum Nabam

Age:

Occupation :

56: Khoda Tech

Age:

Occupation :

57: Yarang Tech

Age:

Occupation :

58: Tado Tech

Age:

Occupation :

59: Yaka Nabam

Age:

Occupation :

60: Baking Nabam

Age:

Occupation :

61: Yapung Tana

Age:

Occupation :

62: Tachi Bai

Age:

Occupation :

63: Yape Tech

Age:

Occupation :

64: Yaja Tech

Age:

Occupation :

65: Yotu Tech

Age:

Occupation :

66: Nana Tomo

Age:

Occupation :

67: Yakap Nabam

Age:

Occupation :

68: Torum Nabam

Age:

Occupation :

69: Pera Saji

Age:

Occupation :

70: Yadum Techhi

Age:

Occupation

VERSUS

THE UNION OF INDIA and 5 Ors.

Represented by Secretary, Ministry of Road Transport and Highway, Govt. of India,
Transport Bhavan No 1, and Parliament Street, New Delhi 110011 2:THE STATE OF
AP

Age: 0

Occupation :

3:The Secretary

Age: 0

Occupation :

4:The Deputy Commissioner

Age: 0

Occupation :

5:SUSHEE-IVRCL ARUNACHAL HIGHWAYS LTD

Age: 0

Occupation :

8:The Deputy Commissioner cum District Magistrate

Age: 0

Occupation

Advocate for the Petitioner : S K Deori

Advocate for the Respondent : Marto Kato

::BEFORE::

HON'BLE MR. JUSTICE ARUN DEY CHOUDHURY

HON'BLE MRS. MITALI THAKURIA

07.11.2023

(A. D. Choudhury, J)

The learned counsel for the applicant submits that the connected writ petition was filed for payment of compensation for acquisition of land for construction of Trans National Highway. However, the writ petition was dismissed and this I.A. has been filed for condoning the delay of 168 days.

The respondent No. 5 was the contractor who was engaged to execute the construction work. Accordingly, the learned counsel for the applicant submits that for the determination of the dispute, the respondent No. 5 is not a necessary party and she prays that the name of respondent No. 5 may be deleted from the array of the parties.

Considered the above submission. As the matter relates to non-payment of compensation, the Contractor/respondent No. 5, in the considered opinion of this Court shall not be a necessary party to this proceeding, therefore, the name of respondent No. 5 be deleted from the array of the parties.

The delay in approaching this Court is explained at Paragraph No. 3 of the application. The learned counsels representing the State respondents have not objected to condonation of such delay.

Considering the pleading, this Court is of the view that the applicant has been able to show sufficient cause in approaching this Court beyond the period of limitation. Accordingly, the above delay of 168 days in preferring the writ appeal stands condoned.

Registry to list the appeal for admission after 2 (two) weeks.

Applicant to furnish the copies of the writ appeal to the counsels for the State respondents.

List the connected writ appeal after 2 (two) weeks.

The I.A. stands disposed of.

JUDGE

Comparing Assistant