



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

Case No. : WP(C)/129/2023

Techi Murkhi
Son of Late Tech Tekli,
Resident of Model Village, Naharlagun, PO/PS Naharlagun, Papumpare District,
Arunachal Pradesh.
Phone No. 8258897641

VERSUS

1:THE STATE OF AP and 3 Ors. Through the Secretary (General Administration)
Govt. of Arunachal Pradesh Itanagar.

2:The Secretary (General Administration) Govt. of Arunachal Pradesh Itanagar.

3:The Deputy Commissioner Capital Complex Itanagar Papumpare District
Arunachal Pradesh.

4:Likha Saaya Son of Likha Heli Presently residing at P Sector Nirjuli PO/PS Nirjuli
Papumpare District Arunachal Pradesh.

5. Mr. Kranzel Kholie, Son of Shri Kapa Kholie, resident of Model village,
Naharlagun, P.O/P.S. Naharlagun Papumpare, Arunachal Pradesh.

Advocate for the Petitioner : Dicky Panging, D. Tamuk, M. Doji, D Lona, K Ado

Advocate for the Respondents : Ojing Pada, Khoda Tama, J Tsering, Hinti Jerma,

Sumit Chhetri, T Lampung, G Kamduk, N Tajung,

T Mingki, GA (AP)

**BEFORE
HONBLE MR. JUSTICE NANI TAGIA**

ORDER

Date : 06-09-2023

Heard Mr. D. Panging, learned counsel for the petitioner. Also heard Ms. T. Wango, learned Junior Government Advocate for the respondents no. 1, 2 & 3; Mr. K. Tama, learned counsel for the respondent no. 4 and Mr. O. Pada, learned counsel for the respondent no. 5.

2. This writ petition has been filed challenging the order, dated 11.01.2023, passed by the Deputy Commissioner-cum-District Magistrate, Capital Complex, Itanagar, vide No. DC-ICC-17013/11/2022/7989, in the case of *Shri Techī Murkhi-vs-Shri Likha Saaya*, to the extent the Deputy Commissioner had made an observation in the aforesaid order that there is no any pending liabilities left by *Shri Likha Saaya* (the respondent no. 4).

3. From perusal of the impugned order, dated 11.01.2023, passed by the Deputy Commissioner-cum-District Magistrate, Capital Complex, Itanagar, it appears that there is some civil dispute regarding full payment made by the respondent no. 4 to the petitioner in respect of a land situated in A-sector, Naharlagun. It was in furtherance of resolving the aforesaid dispute, it appears that the learned Deputy Commissioner-cum-District Magistrate, Capital Complex, Itanagar had made the aforesaid observation that the respondent no. 4 does not have any pending liabilities left, while sending the parties to approach the appropriate Court for grievances.

4. Since the Deputy Commissioner-cum-District Magistrate, Capital Complex, Itanagar does not have the jurisdiction to make any such observation regarding

the civil liabilities of the parties, this writ petition, with the consent of the learned counsels for the parties is disposed of at the stage of Admission Hearing by providing that in the event the parties to the writ petition approaches the Civil Court of competent jurisdiction for resolving their disputes regarding full payment made by the respondent no. 4 to the petitioner, with regard to the land situated at A-Sector, Naharlagun, the Trial Court shall not take into consideration, the observation made by the Deputy Commissioner-cum-District Magistrate, Capital Complex, Itanagar, in the order, dated 11.01.2023, vide No. DC-ICC-17013/11/2022/7989, in the case of *Shri Tech Murkhi-vs-Shri Likha Saaya*, to the effect that *Shri Likha Saaya* (the respondent no. 4) has no any pending liabilities left.

5. The writ petition stands disposed of, with the above direction.

JUDGE

Comparing Assistant