

GAHC040014292022



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

Case No. : IA(C) 87/2022

1:Khyoda Ram and 7 Ors.
ZPM. 1 - Palin East
PO/PS Palin
District Kra- Daadi
Arunachal Pradesh.

2: Dolang Bharat
ZPM
2 - Palin West
PO/PS Palin
District Kra-Daadi
Arunachal Pradesh.

3: Charu Menia
ZPM
4- Champang-Cum-ZPC Kra- Daddi
PO Chambang
PS Palin
District Kra-Daadi
Arunachal Pradesh.

4: Godak Rovi
ZPM 5- Gangte
PO Gangte
PS Palin
District Kra-Daadi
Arunachal Pradesh.

5: Taring Bath
ZPM 6- Tarak- Lengdi
PO Tarak-Lengdi
PS Palin

Arunachal Pradesh.

6: Rumik Yajak
ZPM
7- Tali East
PO Tali
PS Palin
District Kra- Daadi
Arunachal Pradesh.

7: Dai Kochik
ZPM. 8- Tali West
PO Tali
PS Palin
District Kra Daadi
Arunachal Pradesh.

8: Sorang Tania
ZPM
9-Pip-Sorang
P.S Palin
District Kra Daadi
Arunachal Pradesh.
Phone No. 9612561163
VERSUS

1:Rido Charitable Society and 2 Ors.
Represented by its Patron Sri RidoTalik
S/o Late RidoTasang
resident of Palin
PO and PS Palin
Dist-Kra Dadi
Arunachal Pradesh
Pin 791118.

2:Takam Youth Welfare Society
Represented by its President Sri Takam Tame
Palin (Age 30 years)
PO and PS Palin
District Kra Daadi
Arunachal Pradesh
Pin 79118

3:Jamin Kra Daadi District Restoration Committee
Represented by its General Secretary (Age 35 years)
Resident of Sayata
Shri Tarh Johnny
PO and PS Palin

District Kra Daadi
Arunachal Pradesh
Pin 791118

Advocate for the Petitioner : Ninnong Ratan
Advocate for the Respondent : Abhai Kumar Singh

Linked Case : PIL 10/2022

1:Rido Charitable Trust and 2 Ors.
Represented by its Patron

Sri Rido Talik

S/o Late Rido Tasang

Resident of Palin
PO and PS Palin
Dist. Kra Daadi
Arunachal Pradesh
Pin 791118

2: Takam Youth Welfare Society
Represented by its President
Sri Takam Tame
Palin (Age 30 years)
P.O and P.S Palin
District Kra Daadi
Arunachal Pradesh
PIN 791118

3: jJamin Kra Dadi District Restoration Committee
Represented by its General Secretary
Shri Tarh Johny (Age 35 years)
Resident of Sayata
PO and PS Palin
District Kra Dadi
Arunachal Pradesh
PIN 791118
VERSUS

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

Arunachal Pradesh.

2:The Commissioner
Law Legislative and Justice Department

Govt. of Arunachal Pradesh
Civil Secretariat
Itanagar
Arunachal Pradesh
Pin 791111

3:The Commissioner
District Administration

Govt. of Arunachal Pradesh
Civil Secretariat
Itanagar
Arunachal Pradesh
Pin 791111

4:The Deputy Commissioner
Kra Daadi District
PO and PS Palin
Arunachal Pradesh
PIN 791118

5:The Commissioner and Secretary
to the Govt. of Arunachal Pradesh
Public Works Department
Itanagar
Arunachal Pradesh.

6:The Chief Engineer
Public Works Department
Itanagar
Arunachal Pradesh.

7:The Executive Engineer
Palin Division
Public Works Department
Kra Daadi District
Arunachal Pradesh.

Advocate for the Petitioner : Dayadipan Das
Advocate for the Respondent : GA (AP)

**BEFORE
HONBLE MR. JUSTICE NANI TAGIA
HONBLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

Date : 19.01.2023
(Nani Tagia, J)

Heard Mr. Ninnong Ratan, learned counsel for the applicants.

Also heard Mr. D. Das, learned senior counsel, appearing on behalf of Opposite Parties/petitioners in Public Interest Litigation(PIL) being PIL 10(AP)2022.

By means of this interlocutory application, the applicants, altogether 8 in nos., namely, Shri Khyoda Ram, ZPM, 1-Palin East, PO/PS – Palin, District Kra-Daadi, Arunachal Pradesh; Shri Dolang Bharat, ZPM, 2-Palin West, PO/PS – Palin, District Kra-Daadi, Arunachal Pradesh; Smt. Charu Menia, ZPM, 4-Chambang-cum-ZPC Kra-Daadi, PO Chambang; PS - Palin, District Kra-Daadi, Arunachal Pradesh; Shri Godak Rovi, ZPM, 5-Gangte, PS – Palin, District Kra-Daadi, Arunachal Pradesh; Shri Taring Bath, ZPM, 6-Tarak Lengdi, PO Tarak Lengdi, PS – Palin, Arunachal Pradesh; Smti. Rumik Yajak ZPM, 7-Tali East, PO Tali, PS – Palin, District Kra-Daadi, Arunachal Pradesh; Smt. Dai Kiochik, ZPM, 8-Tali West, PO Tali, PS – Palin, District Kra-Daadi, Arunachal Pradesh; and Shri Sorang Tania, ZPM, 9-Pip-Sorang, PO Pip-Sorang, PS – Palin, District Kra-Daadi, Arunachal Pradesh; seeks for impleadent as Respondents No. 5, 6, 7, 8, 9, 10, 11 & 12 in the connected Public Interest Litigation(PIL) being PIL 10(AP)2022, contending that the aforesaid PIL has been filed by the Opposite Parties

challenging the decision of the Government for shifting of the Headquarter of Kra-Daadi District in the State of Arunachal Pradesh from Jamin to Palin and since they are the Zilla Parishad Members of the Kra-Daadi District, they are the necessary and interested parties to the Public Interest Litigation(PIL).

Though an objection has been filed by the Opposite Parties/ petitioners of PIL 10(AP)2022 contending that the applicants are not necessary parties in the PIL since the challenge made in the PIL is to the decision of the Government for shifting of the Headquarter of Kra-Daadi District in the State of Arunachal Pradesh from Jamin to Palin, the applicants, named-above, who are stated to be the ZPMs of the Kra-Daadi District appears to be an necessary parties in the issue raised in the PIL. We are, therefore, of the considered view that since the subject-matter of the PIL is the decision of the Government for shifting of the Headquarter of Kra-Daadi District in the State of Arunachal Pradesh from Jamin to Palin, the applicants being the ZPMs of the Kra-Daadi District; are proper and necessary parties.

This interlocutory application, therefore, is hereby allowed by impleading the names of the 8(eight) applicants, namely, Shri Khyoda Ram, ZPM, 1-Palin East, PO/PS – Palin, District Kra-Daadi, Arunachal Pradesh; Shri Dolang Bharat, ZPM, 2-Palin West, PO/PS – Palin, District Kra-Daadi, Arunachal Pradesh; Smt. Charu Menia, ZPM, 4-Chambang-cum-ZPC Kra-Daadi, PO Chambang; PS - Palin, District Kra-Daadi, Arunachal Pradesh; Shri Godak Rovi, ZPM, 5-Gangte, PS – Palin, District Kra-Daadi, Arunachal Pradesh; Shri Taring Bath, ZPM, 6-Tarak Lengdi, PO Tarak Lengdi, PS – Palin, Arunachal Pradesh; Smti. Rumik Yajak ZPM,

7-Tali East, PO Tali, PS – Palin, District Kra-Daadi, Arunachal Pradesh; Smt. Dai Kiochik, ZPM, 8-Tali West, PO Tali, PS – Palin, District Kra-Daadi, Arunachal Pradesh; and Shri Sorang Tania, ZPM, 9-Pip-Sorang, PO Pip-Sorang, PS – Palin, District Kra-Daadi, Arunachal Pradesh; as Respondents No. 5, 6, 7, 8, 9, 10, 11 & 12 in the connected Public Interest Litigation(PIL) being PIL 10(AP)2022.

Accordingly, Registry shall make the necessary correction in the Cause Title of PIL 10(AP)2022 by impleading the names of the 8(eight) applicants, namely, Shri Khyoda Ram, ZPM, 1-Palin East, PO/PS – Palin, District Kra-Daadi, Arunachal Pradesh; Shri Dolang Bharat, ZPM, 2-Palin West, PO/PS – Palin, District Kra-Daadi, Arunachal Pradesh; Smt. Charu Menia, ZPM, 4-Chambang-cum-ZPC Kra-Daadi, PO Chambang; PS - Palin, District Kra-Daadi, Arunachal Pradesh; Shri Godak Rovi, ZPM, 5-Gangte, PS – Palin, District Kra-Daadi, Arunachal Pradesh; Shri Taring Bath, ZPM, 6-Tarak Lengdi, PO Tarak Lengdi, PS – Palin, Arunachal Pradesh; Smti. Rumik Yajak ZPM, 7-Tali East, PO Tali, PS – Palin, District Kra-Daadi, Arunachal Pradesh; Smt. Dai Kiochik, ZPM, 8-Tali West, PO Tali, PS – Palin, District Kra-Daadi, Arunachal Pradesh; and Shri Sorang Tania, ZPM, 9-Pip-Sorang, PO Pip-Sorang, PS – Palin, District Kra-Daadi, Arunachal Pradesh; as Respondents No. 5, 6, 7, 8, 9, 10, 11 & 12.

With the above directions, the interlocutory application stands disposed of.

JUDGE

JUDGE

Comparing Assistant