

GAHC040006682023



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

Case No. : WP(C) 248/2023

1: Tarin Makcha and 2 Ors.
S/o Late Tata Makcha,
Resident of Forest Colony, Daporijo, PO/PS Daporijo, District Upper Subansiri,
Arunachal Pradesh.
Mobile No. 9366137559

2: Mina Makcha
and successor of Late Goapur Makcha

W/o Late Goapur Mackcha
A Resident of Forest Colony
Daporijo
PO/PS Daporijo
District Upper Subansiri
Arunachal Pradesh.

3: Rita Makcha
W/o Shri Tarin Makcha

A Resident of Forest Colony
Daporijo
PO/PS Daporijo
District Upper Subansiri
Arunachal Pradesh

VERSUS

1: THE STATE OF AP and 5 Ors.
Represented by the Secretary Land Management, Govt. of Arunachal Pradesh,
Itanagar.

2: The Secretary (Land Management)

Govt. of Arunachal Pradesh
Itanagar.

3:the Director cum Ex Officio Joint Secretary
Land Management Department
Govt. of Arunachal Pradesh
Itanagar.

4:The Deputy Commissioner cum District Land Revenue and Settlement Officer
Daporijo
District Upper Subansiri
Govt. of Arunachal Pradesh.

5:The Executive Engineer
Urban Development and Housing
Daporijo Division
Govt. of Arunachal Pradesh.

6:The Proprietor of M/s LY Enterprises
Daporijo
Daporijo Town
PO/PS Daporijo
District Upper Subansiri
Arunachal Pradesh

Advocate for the Petitioner : Tabit Tapak

Advocate for the Respondent : GA (AP)

BEFORE
HONBLE MR. JUSTICE NANI TAGIA

ORDER

Date : 26-05-2023

Heard Mr. T. Tapak, learned counsel for the petitioners. Also heard Mr. S. Tapin, learned Senior Government Advocate for the respondent nos. 4 & 5.

2. None has appeared for the respondent nos. 1, 2 & 3 despite a copy of

the writ petition being served upon the learned Standing counsel for the Land Management Department.

3. The order that I propose to pass, notice to the respondent no. 6 is deemed not necessary.

4. This writ petition has been filed, challenging the letter dated 14th October, 2020, written to the Director of Land Management, Govt. of Arunachal Pradesh, by the Deputy Commissioner, Upper Subansiri District, Daporijo, vide No. LM/DRJ-43/2002 (IV) Part/67, recommending cancellation of the land allotment approval issued by the Government vide No. LR-136/86/991, dated 16.10.2019, in favour of the petitioners, along with one Shri Goapur Makcha S/o Lt. Tata Makcha and the letter, dated 3rd May 2021, written to the Deputy Commissioner, Upper Subansiri District, Daporijo, by the Director, Land Management Department, Government of Arunachal Pradesh, vide Memo No. LM/DRJ-43/2002 (Vol-IV) Part/243-1, conveying the approval of the Government for cancellation of land allotment given to the petitioners along with one Shri Goapur Makcha S/o Lt. Tata Makcha.

5. Besides challenging the aforesaid 2 (two) letters, the petitioners have also prayed for disposal of the representation dated 18th October, 2012, submitted to the Director of Land Management, Government of Arunachal Pradesh by the petitioners for revocation and re-calling of the letter, dated 3rd May, 2021.

6. Though the petitioners have put to challenge the letter dated 14th October, 2020 and 3rd May 2021, referred to hereinabove, learned counsel for the petitioners has prayed for disposal of this writ petition directing the

Director of Land Management Department, Government of Arunachal Pradesh to examine and dispose of the representation submitted by the petitioner on 18th October, 2021.

7. The prayer made by the learned counsel for the petitioners has not been opposed to by the learned Senior Government Advocate, Mr. S. Tapin, representing the respondent nos. 4 & 5.

8. Since the prayer made by the learned counsel for the petitioners is limited to the disposal of the representation, dated 18th October, 2021, submitted to the Director of Land Management, Government of Arunachal Pradesh by the petitioners, this writ petition, with the consent of the learned counsel for the parties, is hereby disposed of, at the stage of motion hearing itself, by directing the Director of Land Management Department, Government of Arunachal Pradesh, i.e., the respondent no. 3, to examine and dispose of the representation, dated 18th October, 2021 (Annexure-VII) submitted by the petitioner and pass appropriate orders in accordance with law, as expeditiously as possible and in any case, not later than 3 (three) weeks from the date of receipt of a certified copy of this order.

9. The writ petition is disposed of with the above, direction.

JUDGE

Comparing Assistant