

GAHC040014452023



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

Case No. : WP(C)/514/2023

Sokhep Kri and 2 Ors.

S/o Lt. K. Kri, Permanent resident of Paya village, P.O/P.S Sunpura, Lohit District,
Arunachal Pradesh. Phone No. 919436252980. 2: Mr. Bagrinso Krit

Age:

Occupation :

3: Mr.Khijum Draï

Age:

Occupation

VERSUS

The State of AP and 5 Others

represented by its Chief Secretary, Government of Arunachal Pradesh, Pin 791111

2:The Secretary

Age: 0

Occupation :

3:The Director

Age: 0

Occupation :

4:The District Land Revenue and Settlement Officer

Age: 0

Occupation :

5:The Deputy Commissioner
Age: 0
Occupation :

6:The Extra Assistant Commissioner
Age: 0
Occupation

Advocate for the Petitioner : Vijay Jamoh

Advocate for the Respondent : GA (AP)

::BEFORE::

HON'BLE MR. JUSTICE AJIT BORTHAKUR

13.10.2023

Heard Mr. V. Jamoh, learned counsel for the petitioner.

Also heard Mr. N. Ratan, learned Addl. Advocate General appearing for the respondent Nos. 1, 4, 5 & 6 and Mr. D. Kamduk, learned Standing counsel for the Land Management representing respondent Nos. 2 & 3.

The brief facts of the case is that the petitioners are the indigenous villager of the Paya village under Sunpura Circle, Lohit District whose fore father Lt. Note Kri settled first and acquired the land and thereafter, had performed traditional rituals known as 'Namshang', performed by the Mishim Tribes of the area to recognize ownerships of the area by demarcating their land boundary. In

the year, 2015, a land dispute arose, where, the petitioners were recognized as the owners of the land located on the north of paya village inbetween Roing-Tezu highway and Sunpura-Tezu road. In the meantime, a land acquisition for Trans Arunachal Highway notification was issued by the respondent authority and to that effect, several meetings were held for compensation. Thereafter, the petitioners have submitted a joint representation, dated 03.02.2023, to the Deputy Commissioner by annexing the Kebang decision, dated 27.08.2015, wherein, the petitioners were recognized to be the real owners of the land on the north of paya village inbetween Roing-Tezu highway and Sunpura-Tezu road. Hence, the petitioners with a very limited prayer approached this Court for disposal of their representation, dated 03.02.2023.

The learned counsel for the petitioners has submitted that the Kebang decision, dated 27.08.2015 has not been challenged herein and the same holds the field.

Mr. N. Ratan, learned Addl. Advocate General and Mr. D. Kamduk, learned Standing counsel for the Land Management have no objection, if the representation, dated 03.02.2023, submitted by the petitioners is disposed of.

In view of the above backdrop of facts and circumstances and upon hearing the submissions of the rival parties, this writ petition stands disposed of, at the motion stage, itself, with a direction to the respondent authorities, more particularly, the Deputy Commissioner/ respondent No. 5, Tezu, Lohit District, Govt. of Arunachal Pradesh to consider and dispose of the representation, dated

03.02.2023 submitted by the petitioner, namely, Shri Khijum Draï in the capacity as authorized representative/Power of Attorney holder by a reasoned order within a period of 3 (three) weeks from the date of receipt of certified copy of this order, which shall be furnished by the petitioner.

JUDGE

Comparing Assistant