

GAHC010116872021



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

Case No. : PIL/46/2021

THE MIZORAM BAR ASSOCIATION
REP. BY ITS GENERAL SECRETARY
(SOCIETY REGISTRATION NO. SR MZ 19/1984)
OFFICE AT MIZORAM BAR ASSOCIATION OFFICE
AIZAWL DISTRICT COURT COMPLEX
TREASURY SQUARE
AIZAWL
MIZORAM
796001.

VERSUS

THE UNION OF INDIA AND 16 ORS
REP. BY THE SECRETARY TO THE GOVT. OF INDIA
MINISTRY OF HOME AFFAIRS
NORTH BLOCK
NEW DELHI-110001
INDIA.

2:THE STATE OF MIZORAM

REP. BY THE CHIEF SECRETARY
GOVT. OF MIZORAM
AIZAWL
MIZORAM-796001.

3:THE STATE OF ASSAM

REP. BY THE CHIEF SECRETARY
GOVT. OF ASSAM
DISPUR
GUWAHATI.
4:THE SECRETARY

TO THE GOVT. OF MIZORAM
HOME DEPTT.
NEW SECRETARIAT
AIZAWL
MIZORAM-796001.

5:THE SECRETARY
TO THE GOVT. OF ASSAM
HOME DEPTT.
SECRETARIAT ROAD
DISPUR
GUWAHATI
ASSAM-781006.
6:THE DIRECTOR GENERAL OF POLICE

MIZORAM
MIZORAM POLICE HEADQUARTERS
AIZAWL
796001.
7:THE DIRECTOR GENERAL OF POLICE

ASSAM
ASSAM POLICE HEADQUARTERS
ULUBARI
GUWAHATI-781007.
8:THE DEPUTY COMMISSIONER

KOLASIB DISTRICT
KOLASIB
MIZORAM-796081.
9:THE DEPUTY COMMISSIONER

MAMIT DISTRICT
MAMIT
MOZORAM-796441.
10:THE DEPUTY COMMISSIONER

CACHAR DISTRICT (ASSAM) AT SILCHAR
SILCHAR-788001

11:THE DEPUTY COMMISSIONER

KARIMGANJ DISTRICT (ASAM)
AT KARIMGANJ
KARIMGANJ-788710
12:THE DEPUTY COMMISSIONER

HAILAKANDI DISTRICT (ASSAM)
AT HAILAKANDI

ASSAM
KACHARI ROAD
HAILAKANDI TOWN
HAILAKANDI
PIN-788151
13:THE SECRETARY
TO THE GOVT. OF INDIA
MINISTRY OF RAILWAY
RAIL BHAWAN RAISINA RD CP
NEW DELHI-110001
INDIA.

14:NORTHEAST FRONTIER RAILWAY
REP. BY ITS GENERAL MANAGER TN TOWER
114
ASSAM TRUNK ROAD
MILIGAON
GATE NO.4
MALIGAON
GUWAHATI
ASSAM
781011.

15:DEPUTY CHIEF ENGINEER (CONSTRUCTION)

NORTHEAST FORNTIER RAILWAY
KATAKHAL
ASSAM.

16:THE SECRETARY
TO THE GOVT. OF INDIA
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS
GOVT
OF INDIA
TRANSPORT BHAVAN
1
PARLIAMENT STREET
NEW DELHI-110001.
17:THE NATIONAL HIGHWAYS AUTHORITY OF INDIA

REP. BY ITS CHAIRMAN
C/O. NATIONAL HIGHWAYS
AUTHORITY OF INDIA
G 5 AND 6
SECTOR-10
DWARKA
NEW DELHI-110075.

Advocate for : MR. A R MALHOTRA
Advocate for : ASSTT.S.G.I. appearing for THE UNION OF INDIA AND 16 ORS

**BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

Date : 03.01.2023

(R.M. Chhaya, CJ)

Heard Mr. B. Lalramenga, learned counsel for the petitioner. Also heard Mr. D. Saikia, learned Advocate General, Assam, assisted by Ms. R. Baruah, learned counsel appearing for the State of Assam and its authorities; Mr. D. Das, learned Advocate General, Mizoram, appearing for the State of Mizoram and its authorities; Mr. C. Baruah, learned Standing counsel, NHAI; Mr. B. Sharma, learned Standing Counsel, NF Railway and Mr. Manash Haloi, learned counsel appearing for the CBI.

2. By preferring this Public Interest Litigation, the petitioner association has *inter alia* prayed for the following reliefs:

“That Your Lordships may be graciously pleased to admit this writ petition, issue notice, call for the records, issue rule calling upon the respondents to show cause as to why:

- (i) *The Hon’ble High Court will not issue an appropriate writ, order or direction asking the respondents to take immediate steps for removal of the illegal and unconstitutional economic blockade of National Highway-306 and the other roads connecting Mizoram with the rest of the country from Assam along with the blockade of the Railway line between Silchar-Bairabi and to ensure that such illegal and unconstitutional blockade do not take place again in the future.*

AND

After hearing the cause that may be shown by the parties to finally make the rule absolute and pass any other necessary orders or directions as deemed fit by the Hon’ble Court.

AND

In the interim to direct the respondents to arrange necessary security escort for safe passage of all essential commodities and medical supplies presently detained at Lailapur, Assam, within 24 hours in order to solve the difficulties faced by the people of Mizoram.”

3. The respondents have entered their appearance and have filed affidavit-in-opposition dated 23.12.2021 through Divisional Security Commissioner, North Eastern Frontier Railway, wherein it is *inter alia* contended that steps have been taken by the railway authorities, more particularly, as stated in paragraph 7 of the affidavit-in-opposition.

4. It is pertinent to note that the incident, which took place on 26.07.2021, relates to inter-State border dispute between the States of Assam and Mizoram. Learned Advocate Generals appearing for the State of Assam and the State of Mizoram have stated that after the incident of 26.07.2021, senior Cabinet Ministers of both the States have held meeting and after the meeting of the senior ministers of both the States, the tension at the border has eased out. It is further stated that now complete peace has prevailed and life in both the States has leapt back to normalcy. The State Governments of both the States are making endeavours to amicably resolve the dispute.

5. In light of the aforesaid situation prevailing at present, the grievance ventilated in this PIL stands redressed and no further order is required to be passed for granting the relief prayed for in the present PIL. Accordingly, the present PIL proceedings stand closed.

JUDGE

CHIEF JUSTICE

Comparing Assistant