

GAHC030000862021



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

Case No. : Cont.Cas(C)/4/2021

Rokhawli (L) r/b Lalthuammawia Fanai
BAIRABI, KOLASIB

VERSUS

Lalnunmawia Chuango and 8 Ors
CHIEF SECRETARY TO THE GOVT. OF MIZORAM 2:R. ZARZOSANGA
THE SECRETARY LAND REVENUE AND SETTLEMENT DEPT

Advocate for the Petitioner : Mr. Lalfakawma

Advocate for the Respondent : Ms. Mary Lalruatkimi Khiantge (Addl.AG/G.A. Mizoram) for R3 & R8

Linked Case : I.A.(Civil)/126/2022

Joseph Zarzoliana
Bairabi. Kolasib District
Mizoram

VERSUS

Sh. Lalnunmawia Chuaungo
Aizawl

2:Sh. R. Zarzosanga
Secretary
Land Revenue and Settlement Deptt.
Aizawl

3:Dr. H. Lalthangliana
DC
Kolasib Dist.

Kolasib
Mizoram

4:Sh. Sanjiv Kumar
I.A.S.
Chairman-cum-Managing Director
FCI
New Delhi

5:Sh. M.K. Gogoi
Executive Director
FCI
North East Zonal Office
Guwahati

6:Sh. P.N. Singh
General Manager(R)
FCI
NEF Regional Office
Shillong

7:Smt. Zodinpuii Ralte
Area Manager
FCI
District Office
Aizawl
Aizawl

Advocate for the Petitioner : Mr Lalfakawma
Advocate for the Respondent :

Linked Case : I.A.(Civil)/129/2022

Rokhawli r/b Joseph Zarzoliana
Bairabi
Mizoram

VERSUS

Lalnunmawia Chuaungo Chief Secretary to the Govt. of Mizoram and 6 Ors.
Aizawl
Mizoram

2:Sh Zarzosanga
Secretary
Land Revenue and Settlement Dept.

Govt. of Mizoram

3:Dr H.Lalthangliana
District Collector/ Deputy Commissioner
Kolasib Dist.
Kolasib
Mizoram

4:Sh Sanjiv Kumar
IAS
Chairman-cum-Managing Director
Food Corporation of India
New Delhi

5:Sh M.K. Gogoi
Executive Director
Food Corporation of India
North Est Zonal Office GL Publication Building
Ulubari
Guwahati

6:Sh P.N. Singh
General Manager (R) Food Corporation of India NEF Regional Office
Jowai Road
PO Laitumkhrach
Shillong-3

7:Smt Zodinpuii Ralte
Area Manager Food Corporation of India
District Office
Tuikhuahtlang
Hill Side Building
Aizawl
Mizoram

Advocate for the Petitioner : Mr Lalfakawma
Advocate for the Respondent : Ms. Mary Lalruatkimi Khiangte for R-3

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO
ORDER**

Date : 28.04.2023

Heard Mr. Lalfakawma, learned counsel for the petitioner and Mr. Zoramchhana, learned counsel for the respondent Nos. 5, 6 & 7. No one appeared for the remaining

respondents.

This contempt petition has been filed alleging willful and deliberate violation of this Court's Order dated 12.10.2020 passed in WP(C) No. 49/2018. The writ petition was disposed of by directing the petitioner to approach the District Collector, Kolasib with an application for determination of amount of compensation due to her for the damages sustained due to the proposed acquisition of her land. The determination was directed to be done in terms of Section 48 (2) of the Land Acquisition Act, 1894 (LA Act). The District Collector, on receiving the application was directed to make necessary verification and to give opportunity to all the stake holders, importantly, the FCI and in the event damages were found to make appropriate assessment.

As directed, the District Collector, Kolasib caused a verification over the land of the petitioner but was unable to ascertain whether any damage has been caused or not. At the same time, according to the FCI authority, no damage was caused to the land of the petitioner but the petitioner has denied the same.

At this stage, Mr. Lalfakawma, learned counsel for the petitioner submits that in view of the disputed questions of fact which has arisen in the process of the verification, he may be allowed to withdraw the contempt petition and the petitioner be permitted to avail any remedy available to her in law.

In view of the above development and the prayer made, the contempt petition stands closed.

JUDGE

Comparing Assistant