GAHC030001632023

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

Case No. : I.A.(Civil)/36/2023

State of Mizoram represented by the Secretary to the Govt. of Mizoram AH and Vety Dept and 5 Ors
Khatla, Aizawl 2: Director
AH and Vety Department
Govt. of mizoram
Khatla
Aizawl

3: Deputy Director
(Epidemiology)
AH and vety Department
Government of Mizoram
Khatla
Aizawl

4: Disease Investigating Officer
AH and Vety Department
Government of Mizoram
Khatla
Aizawl

5: District AH and Vety Officer
Kolasib District
Kolasib

6: Veterinary Officer i.e.
Animal Check Post
Vairengte
Kolasib District
Vairengte
Kolasib Distric

VERSUS

Sh. Vanlalruata
S/o Rochhunga (L), Sihphir Vengthar, Aizawl District

Advocate for the Petitioner : Ms. Mary Lalruatkimi Khiangte

Advocate for the Respondent : Mr Saurabh Pradhan

Linked Case : I.A.(Civil)/37/2023

State of Mizoram r/b the Secretary to the Govt. of Mizoram
AH and Vety Dept and 5 Ors.
Khatla
Aizawl

2: Director
AH and Vety Dept.
Govt. of Mizoram
Khatla
Aizawl

3: Deputy Director (Epidemiology)
AH and Vety Dept.
Govt. of Mizoram
Khatla
Aizawl

4: Disease Investigation Officer
AH and Vety Dept. Govt. of Mizoram
Khatla
Aizawl

5: District AH and Vety Officer
Kolasib District
Kolasib

6: Veterinary Officer
i/e Animal Check Post
Vairengte
Kolasib District
VERSUS

Sh. Vanlalruata
S/o Rochhunga (L)
Sihphir Vengthar
Aizawl District

Advocate for the Petitioner : Ms. Mary Lalruatkimi Khiangte
Advocate for the Respondent : Mr Saurabh Pradhan

Linked Case : RFA/7/2023

State of Mizoram r/b the Secretary to the Govt. of Mizoram
AH and Vety Dept.
Khatla
Aizawl

2: Director
AH and Vety Dept. Govt. of Mizoram
Khatla
Aizawl

3: Deputy Director (Epidemiology)
AH and Vety Dept.
Govt. of Mizoram
Khatla
Aizawl

4: Disease Investigation Officer
AH and Vety Dept.
Govt. Of Mizoram
Khatla
Aizawl

5: District AH and Vety Officer
Kolasib District
Kolasib

6: Veterinary Officer
i/e Animal Check Post
Vairengte
Kolasib District
VERSUS

Sh. Vanlalruata
S/o Rochhunga (L)
Sihphir Vengthar
Aizawl District

Advocate for the Petitioner : Ms. Mary Lalruatkimi Khiangte
Advocate for the Respondent : Mr Saurabh Pradhan

BEFORE
HONOURABLE MRS. JUSTICE MARLI VANKUNG
ORDER

Date : 13.07.2023

Heard Mrs. H. Lalmalsawmi, learned Government Advocate along with Mr. Saurabh Pradhan, learned counsel for the opposite party/respondent.

It is seen that this appeal has been filed against the judgment and order of the learned Senior Civil Judge-I, Aizawl District in Civil Suit No. 67/2013, wherein the learned Trial Court had decreed for a payment of compensation amounting to a total sum of Rs. 6,87,000/- interest @ 6% per annum to be paid by the defendant/appellants.

It is submitted by the learned counsel for the respondent that after the amendment of the Mizoram Civil Courts (Amendment) Act, 2021, this matter has to be placed before the District Judge since the pecuniary jurisdiction of the District Judge has been increased to the sum of Rs. 10,00,000/-.

Mrs. H. Lalmalsawmi, learned Government Advocate in all fairness admits that this matter should have actually be filed before the District Judge.

In view of the above, the instant I.A. along with RFA No. 7/2023 is dismissed, with an observation that this matter should have been filed before the District Judge in view of the Mizoram Civil Courts (Amendment) Act, 2021 and the applicant/appellant is given the liberty to approach the appropriate forum, is so advised.

JUDGE

Comparing Assistant