

GAHC020003622023



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

Case No. : WP(C)/151/2023

LOTHA BAPTIST CHURCHES ASSOCIATION
MISSION CENTRE VANKHOSONG,
GOVT. REGD. NO. RS 988,
P.O. BOX 04, WOKHA-797111,
NAGALAND,
REPRESENTED BY ITS PRESIDENT
REV. DR. E. NRIO EZUNG AND EXECUTIVE SECRETARY
REV. KHONBEMO P. KIKON

VERSUS

THE STATE OF NAGALAND AND 4 ORS
REPRESENTED BY THE CHIEF SECRETARY
TO THE GOVT. OF NAGALAND

2) THE HOME COMMISSIONER
NAGALAND KOHIMA

3) THE COMMISSIONER
NAGALAND KOHIMA

4) THE DEPUTY COMMISSIONER
WOKHA NAGALAND

5) THE LOTHA BAPTIST CHURCHES ASSOCIATION (RCC)
WOKHA, NAGALAND.
REPRESENTED BY ITS EXECUTIVE SECRETARY
SHRI NYANCHUMO LOTHA

Advocate for the Petitioner : LIMAWAPANG

Advocate for the Respondent : GOVT ADV NL

**BEFORE
HON'BLE MR JUSTICE MRIDUL KUMAR KALITA**

ORDER

Date : 03-08-2023

Heard Mr. Limawapang, learned counsel for the petitioner and Ms. V. Suokhrie, learned Additional A.G., Nagaland.

2. This instant writ petition has been filed by the petitioner, Lotha Baptist Churches Association Mission Centre Vankhosong, which is a registered Society seeking issuance of writ in nature of mandamus or any other appropriate writ or order or direction to the respondents directing them to consider and dispose of the petitioner's representation dated 20.07.2023, which is annexed as Annexure-T alongwith writ petition.

3. Learned counsel for the petitioner submits that before approaching this Court by filing the instant writ petition the petitioner had approached this Court earlier on two (2) occasions. On the first occasion the writ petitioner filed two (2) writ petitions, namely WP(C)/294/2022 and WP(C)/215/2022, which was disposed of by this Court by Order dated 04.04.2023, wherein the impugned Order dated 30.09.2022 and 07.10.2022, which were challenged in the writ petition, were quashed and set aside and the State Government was issued a direction to examine the legality or otherwise of the Memorandum dated 18.03.2022 passed by the Lotha Hoho. Thereafter the Government of Nagaland, Home Department, issued Notification dated 01.05.2023 in pursuance to the Judgment passed by this Court in WP(C)/294/2022 on 04.04.2023 and whereby the Memorandum of Lotha Hoho dated 18.03.2022 was treated as infructuous. Thereafter, on 01.05.2023 itself a subsequent order was issued by the Home Commissioner, Nagaland, whereby the matter was referred to the Registrar of Societies, Nagaland, under the provisions of the Societies Registration Act, 1860 for an early resolution. Pending the decision of the Registrars of Societies it was

directed that all the properties of Lotha Baptist Churches Association including those used as office or official residence etc. at its Headquarters in Vankhosong, Wokha, shall be vacated and sealed by the District Administration. Against the said Order passed by Home Commissioner, Nagaland on 01.05.2023, the present petitioner again preferred another writ petition which was numbered as WP(C)/71/2023 wherein this Court, by Order dated 04.05.2023, issued notice to the said respondents and directed that till the returnable date the impugned Order dated 01.05.2023 issued by Home Commissioner, Nagaland, shall be kept in abeyance.

4. Now the petitioner has alleged that during the pendency of the interim order passed by this Court in WP(C)/71/2023 on 04.05.2023 the private respondent No. 5 have trespassed into the Vankhosong Mission Centre compound on 18.07.2023 and thereafter, the petitioner has approached the Deputy Commissioner, Wokha, and filed a representation on 20.07.2023 with a request to protect and safeguard the Vankhosong Mission Centre compound. Now in the instant writ petition the prayer is to direct the said respondent No. 4 to consider the representation filed by the present petitioner and dispose it of by speaking order.

5. Ms. V. Suokhrie, learned Additional A.G. submits that in view of the facts and circumstances of this case, the present writ petition may be disposed of with a direction to respondent No. 4 to consider the representation dated 20.07.2023 within a reasonable time and dispose it of by a speaking order.

6. In view of submissions made by learned counsel for the petitioner as well as learned Additional A.G., this writ petition is hereby disposed of with a direction that respondent No. 4, i.e. Deputy Commissioner, Wokha, Nagaland, to dispose of the representation dated 20.07.2023, which is annexed as Annexure-T alongwith instant writ petition within a period of one month. The petitioner shall furnish necessary numbers of extra copies of the writ petition to the learned Additional A.G. by tomorrow, i.e. 04.08.2023. Let a copy of this order be furnished to the learned Additional Advocate General.

7. With the above observation this writ petition is hereby disposed of.

Sd/-
JUDGE

Comparing Assistant