

GAHC040006682024



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

**Case No. :Case No. : WP(C)/202/2024**

1. Sinsolum Awailiang, Ors S/o Late Duhalum Awailiang, aged about 35 years,  
resident of village Tablaiko, Chaglagam,  
Anjaw District, AP
2. Dedelum Achonyu, Aged about 26 years S/o Late T. Achonyu  
resident of Aphomna village  
Chaglagam Circle Anjaw District AP
3. Hamanlum Achonyu, S/o Late A. Achonyu aged about 39 years  
resident of Aphomna village Chaglagam Circle Anjaw District AP
4. Beyamtham Achonyu aged about 28 years S/o Shri Domalum Achonyu  
resident of Aphomna village Chaglagam Circle Anjaw District AP.

**VERSUS**

1. THE STATE OF AP, represented by the Commissioner/Secretary, Land Management  
Department, Govt. of AP, Itanagar
2. The Deputy Commissioner, Hawai Anjaw district AP
3. The Chairman of the Boards constituted, vide order No. HLG/LM-49/RCC/2013-  
14/4040-97 dated 9.10.2017 for assessment of compensation in regards to loss/damages due to  
construction of road from Chaglogam-Kapapu
4. The Commanding Officer, 116 RCC (GREF) 116 Road Const. Coy (GREF) Pin-930116  
C/o 99 APO Hayuliang Anjaw

**Linked Case No. : WP(C)/44/2024**

Mapikam Tega S/o Jingling Tega, Tegamma village, Chaglogam, PO Hayuliang, PS Khupa, Anjaw District, AP

VERSUS

1. The State of AP, represented by the Commissioner, Department of Land Management, Govt of AP, Itanagar
2. The Deputy Commisioner: Anjaw District Hawaii AP
3. The Officer Commanding, 116 RCC (GREF) Hayuliang Anjaw District AP

**Linked Case No. : WP(C)/160/2024**

1. Sinsolum Awailiang, Son of Late Duhalum Awailiang, resident of Village Tablaiko, Chaglagam, Anjaw District, Arunachal Pradesh
2. Maku Taflap, Son of K Taflap resident of Village Taflagam Chaglagam Anjaw District Arunachal Pradesh
3. Enamso Flakam Age: Occupation : Son of K Flakam resident of Village Taflagam Chaglagam Anjaw District Arunachal Pradesh
4. Duilum Taflap Age: Occupation : Son of Late D Taflap resident of Village Taflagam Chaglagam Anjaw District Arunachal Pradesh
5. Balesai Achonyu Wife of Late R Achonyu resident of Village Aphomna Chaglagam Anjaw District Arunachal Pradesh
6. Medusai Flakam D/o Late B Flakam resident of Village Tarampa Chaglagam Circle Anjaw District Arunachal Pradesh
7. Hamanlum Achonyu, Son of Late A Achonyu resident of Village Aphomna Chaglagam circle Anjaw District Arunachal Pradesh
8. Peresai Hagabrey Age: Occupation : wife of Late T Hagabrey resident of Village Aphomna Chaglagam Circle Anjaw District Arunachal Pradesh
9. Lanasai Bellai Age: Occupation : Wife of S Bellai resident of Village Taflagam

Chaglagam Circle Anjaw District Arunachal Pradesh

10. Kreling Hagabrey Age: Occupation : Son of Late B Hagabrey resident of Village Chakka  
Chaglagam Circle Anjaw District Arunachal Pradesh

11. Agenlu Tega Age: Occupation : Wife of Shri Atailum Mai resident of Village Taflagam  
Chaglagam Circle Anjaw District Arunachal Pradesh

12. Beyamtham Achonyu Age: Occupation : Son of Shri Domalum Achonyu resident of  
Village Aphomna Chaglagam Circle Anjaw District Arunachal Pradesh

13. Manuya Flakam Age: Occupation : Wife of Lat eB Flakam resident of Village Taflagam  
Chaglagam Circle Anjaw District Arunachal Pradesh

VERSUS

1. The State of AP, represented by the Commissioner/ Secretary, Land Management  
Department, Govt of Arunachal Pradesh, Itanagar

2. The Deputy Commisisoner: Hawai Anjaw District Arunachal Pradesh

3. The Chairman of Boards to re verify and re survey the area Anajw District Chaglagam

4. The Commanding Officer: 116 RCC (GREF) 116 Road Const. Coy (GREF) PIN 930116  
C/o 99 APO Hayuliang Anjaw

Advocate for the Petitioner : T. Pertin

Tony Pertin Advocate for the Respondent : GA (AP)

**BEFORE**  
**HONBLE MR. JUSTICE KARDAK ETE**

**ORDER**

**Date : 06.09.2024**

Heard Mr. T. Pertin, learned counsel for the petitioners. Also heard Mr. S. Tapin, learned Senior Government Advocate for the State respondents and Mr. M. Ete, learned counsel appearing on behalf of Mr. M. Kato, learned DSGI for the Union of India.

**2.** The petitioners, claims to be the affected land owners of the land, which has been acquired for construction of Chaglogam to Kapapu road (KM 6.50 to KM 16.50) under Chaglogam Circle, Anjaw District, have filed these writ petitions praying for a direction to complete the acquisition proceedings by accepting the reports by the concerned authority on the claims and objections raised by the petitioners. The petitioners have raised certain issues including non consideration of their claims i.e., rates, for inclusion of solatium, etc.

**3.** Mr. Pertin, learned counsel for the petitioners, by placing the communication, dated 09.08.2024, issued by the Deputy Commissioner, Anjaw District, Hawai, addressed to the Additional Deputy Commissioner, Hayuliang, Anjaw District, submits that the verification and assessment, which was completed by the Board on 01.08.2022 was not submitted to the competent authority till 02.01.2024. The Deputy Commissioner has directed the Additional Deputy Commissioner, Hayuliang, Anjaw District to re-visit the claims and objections report and to re-submit the same to the Deputy Commissioner within a month, which indicates that there is a scope of re-visiting the claims and objections. He submits that the above communication reflects that the authority could re-visit the claims and objections, therefore, it would be appropriate on the part of the petitioners to file a detail claims and objections as raised in the present proceedings. Therefore, he submits that these writ petitions may be disposed of with a liberty to file a detail claims and objections before the Additional Deputy Commissioner, Hayuliang, Anjaw District and a direction may be issued to Additional Deputy Commissioner, Hayuliang, Anjaw District to consider the claims and objections that would be filed by the petitioners.

**4.** The learned counsels for the respondents have raises no objection for

disposal of these writ petitions, in terms of the prayer made by the learned counsel for the petitioners hereinabove.

**5.** Having considered the submissions advanced by the learned counsels for the parties, without venturing into the merits of the grievance raised in this proceedings and as agreed to by the learned counsels for the parties, these writ petitions are disposed of, by granting the petitioners to file a detail representation on the claims and objections raised by the petitioners before the Additional Deputy Commissioner, Hayuliang, Anjaw District, within a period of 15(fifteen) days from today.

**6.** On receipt of the detail representation on the claims and objections that would be filed by the petitioners, the Deputy Commissioner, Anjaw District, Hawai and the Additional Deputy Commissioner, Hayuliang, Anjaw District shall consider and dispose of the claims and objections of the petitioners in accordance with law. The exercise as directed hereinabove shall be carried out within a period of 2(two) months from the date of receipt of a certified copy of this order.

**7.** The writ petitions stands closed and disposed of, in terms above.

**JUDGE**

**Comparing Assistant**