



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

Case No. : IA(C)/115/2024

Anurag Jain
Secretary, Ministry of Roads Transport and Highway, Bhawan -1, Parliament Street,
New Delhi- 110001

VERSUS

Jalamso Malo and 62 Ors.
Son of Mejenglum Malo,
Permanent Resident of Hoiliang, PO/PS Hayuliang, Anjaw District, AP 2:Walianso
Malo

Age: 45

Occupation :

S/o Lt. K. Malo

R/o Hoiliang Village
Anjaw District
A.P

3:Hilinglum Malo

Age: 70

Occupation :

S/o Lt. M. Malo

R/o Hoiliang Village
Anjaw District
A.P

4:Bengliang Malo

Age: 55

Occupation :

W/o Bachelum Malo

R/o Hoiliang Village
Anjaw District
A.P

5:Dekhalu Malo
Age: 60
Occupation :
W/o Medulum Malo

R/o Hoiliang Village
Anjaw District
A.P

6:Mendulum Malo
Age: 71
Occupation :
S/o Baru Malo

R/o Hoiliang Village
Anjaw District
A.P

7:Shalemso Malo
Age: 53
Occupation :
S/o Shri S. Malo

R/o Hoiliang Village
Anjaw District
A.P

8:Salemso Malo
Age: 53
Occupation :
S/o Shri S. Malo

R/o Hoiliang Village
Anjaw District
A.P

9:Langemso Malo
Age: 40
Occupation :
S/o Shri Medulum Malo

R/o Hoiliang Village
Anjaw District
A.P

10:Epailiang Malo
Age: 30
Occupation :
D/o Katulum Malo

R/o Hoiliang Village
Anjaw District
A.P

11:Esenso Malo
Age: 32
Occupation :
S/o Katulum Malo

R/o Hoiliang Village
Anjaw District
A.P

12:Wetemso Malo
Age: 40
Occupation :
S/o Katulum Malo

R/o Hoiliang Village
Anjaw District
A.P

13:Talaiso Malo
Age: 24
Occupation :
S/o Shri Hililum Malo

R/o Hoiliang Village
Anjaw District
A.P

14:Katulum Malo
Age: 62
Occupation :
S/o Lt. Dulum Malo

R/o Hoiliang Village

Anjaw District
A.P

15:Alamai Malo
Age: 55
Occupation :
W/o Lt. Mesolum Malo

R/o Hoiliang Village
Anjaw District
A.P

16:Tindyamsai Malo
Age: 67
Occupation :
W/o Nemso Malo

R/o Hoiliang Village
Anjaw District
A.P

17:Mitali Malo
Age: 29
Occupation :
D/o Shri Bachelum Malo

R/o Hoiliang Village
Anjaw District
A.P

18:Kenbaliang Malo
Age: 48
Occupation :
W/o Abenso Malo

R/o Hoiliang Village
Anjaw District
A.P

19:Diranso Malo
Age: 50
Occupation :
S/o Tarolum Malo

R/o Hoiliang Village
Anjaw District

A.P

20:Gemi Malo

Age: 29

Occupation :

S/o Lt. Begelum Malo

R/o Hoiliang Village

Anjaw District

A.P

21:Bailu Malo

Age: 35

Occupation :

W/o Jalamso Malo

R/o Hoiliang Village

Anjaw District

A.P

22:Bachelum Malo

Age: 44

Occupation :

S/o Mejinglum Malo

R/o Hoiliang Village

Anjaw District

A.P

23:Yirangso Malo

Age: 36

Occupation :

S/o Katulum Malo

R/o Hoiliang Village

Anjaw District

A.P

24:Balelum Malo

Age: 60

Occupation :

S/o M. Malo

R/o Hoiliang Village

Anjaw District

A.P

25:Oroso Malo
Age: 35
Occupation :
S/o Mejenlum Malo

R/o Hoiliang Village
Anjaw District
A.P

26:Baselum Malo
Age: 50
Occupation :
S/o Lt. Jumba Malo

R/o Hoiliang Village
Anjaw District
A.P

27:Umanso Malo
Age: 55
Occupation :
S/o Lt. K. Malo

R/o Hoiliang Village
Anjaw District
A.P

28:Bomkisai Malo
Age: 55
Occupation :
W/o Yirangso Malo

R/o Hoiliang Village
Anjaw District
A.P

29:Atingliang Malo
Age: 55
Occupation :
D/o Katulum Malo

R/o Hoiliang Village
Anjaw District
A.P

30:Bomemso Malo
Age: 55
Occupation :
S/o Mindulum Malo

R/o Hoiliang Village
Anjaw District
A.P

31:Sanemsai Malo
Age: 43
Occupation :
D/o Balaylum Malo

R/o Hoiliang Village
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A.P

32:Baingso Malo
Age: 39
Occupation :
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Anjaw District
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Anjaw District
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Age: 44
Occupation :
S/o Lt. Mesolum Malo

R/o Hoiliang Village
Anjaw District
A.P

35:Sohisio Malo

Age: 38
Occupation :
S/o T. Malo

R/o Hoiliang Village
Anjaw District
A.P

36:Gujitliang Malo
Age: 35
Occupation :
D/o Lt. Nemso Malo

R/o Hoiliang Village
Anjaw District
A.P

37:Aosanglum Malo
Age: 30
Occupation :
S/o Shri Mejenlum Malo

R/o Hoiliang Village
Anjaw District
A.P

38:Chodemso Malo
Age: 33
Occupation :
S/o Baselum Malo

R/o Hoiliang Village
Anjaw District
A.P

39:Bomso Malo
Age: 31
Occupation :
S/o Mejenlum Malo

R/o Hoiliang Village
Anjaw District
A.P

40:Khasa Gam
Age: 49

Occupation :
S/o Lt. Tablum Gam

R/o Tafraliang Village
Anjaw District
AP

41:Bafinglum Gam
Age: 63
Occupation :
S/o Lt. R. Gam

R/o Hoiliang Village
Anjaw District
A.P

42:Sonemso Gam
Age: 37
Occupation :
S/o B. Gam

R/o Hoiliang Village
Anjaw District
A.P

43:Basinglum Gam
Age: 49
Occupation :
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R/o Hoiliang Village
Anjaw District
A.P

44:Bihemso Gam
Age: 34
Occupation :
S/o Lt. B. Gam

R/o Village Tafraliang
Anjaw District
AP

45:Bagemso Gam
Age: 29
Occupation :

S/o Lt. S. Gam

R/o Village Matiliang
Anjaw District
AP

46:Somi Gam
Age: 33
Occupation :
S/o Lt. S. Gam

R/o Village Matiliang
Anjaw District
AP

47:Jademso Gam
Age: 51
Occupation :
S/o Lt. C. Gam

R/o Village Matiliang
Anjaw District
AP

48:Abrodo Gam
Age: 37
Occupation :
S/o Lt. G. Gam

R/o Village Matiliang
Anjaw District
AP

49:Misinglum Gam
Age: 55
Occupation :
S/o Lt. T. Gam

R/o Village Hoiliang
Anjaw District
AP

50:Soheso Gam
Age: 29
Occupation :
S/o C. Gam

R/o Village Hoiliang
Anjaw District
AP

51:Sosemso Gam
Age: 36
Occupation :
S/o Jademso Gam

R/o Hoiliang Village
Anjaw District
AP

52:Lakungliam Gam
Age: 55
Occupation :
W/o Lt. G. Gam

R/o Matiliang Village
Anjaw District
AP

53:Karendia Gam
Age: 52
Occupation :
W/o Bapinglum Gam

R/o Holiang Village
Anjaw District
AP

54:Bapinglum Gam
Age: 64
Occupation :
S/o Lt. M. Gam

R/o Hoiliang Village
Anjaw District
AP

55:Sohenso Gam
Age: 36
Occupation :
S/o Bapinglum Gam

R/o Hoiliang Village
Anjaw District
AP

56:Tamlu Gam
Age: 34
Occupation :
D/o Bapinglum Gam

R/o Village Hoiliang
Anjaw District
AP

57:Sajenlu Gam
Age: 31
Occupation :
W/o Chojen Kathak

R/o Village Hoiliang
Anjaw District
AP

58:Beauti Ekai Gam
Age: 29
Occupation :
W/o Bagemso Gam

R/o Matiliang Village
Anjaw District
AP

59:Balasi Gam
Age: 51
Occupation :
W/o Lt. Balinso Gam

R/o Village Khupa
Anjaw District
AP

60:Pekoliang Gam
Age: 39
Occupation :
W/o Khasa Gam.
R/o Village Tafraliang
Anjaw District

AP

61:Ahulia Gam

Age: 43

Occupation :

W/o S. Gam

R/o Village Matiliang

Anjaw District

AP

62:Adorai Ritti

Age: 59

Occupation :

W/o Lt. T. Ritti

R/o Village Khupa

District Anjaw

AP

63:Diyelum Malo

Age: 28

Occupation :

S/o Lt. Nemso Malo

R/o Hoiliang Village

Anjaw District

A

Advocate for the Petitioner : Romjir Rakshap

Advocate for the Respondent : Sunil Mow

Linked Case : Cont.Cas(C)/12/2024

Jalamso Malo and 62 Ors.

Age: 35

Occupation :

Address:S/o Mejenglum Malo

Permanent Resident of Hoiliang

PO/PS Hayuliang
Anjaw District
AP
2: Walianso Malo
Age: 45
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Anjaw District
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Occupation :
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Age: 37
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Occupation :
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Anjaw District
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Age: 29
Occupation :
Address:S/o Lt. S. Gam

R/o Village Matiliang
Anjaw District
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46: Somi Gam
Age: 33
Occupation :
Address:S/o Lt. S. Gam

R/o Village Matiliang
Anjaw District
AP

47: Jademso Gam
Age: 51
Occupation :
Address:S/o Lt. C. Gam

R/o Village Matiliang

Anjaw District
AP

48: Abrodo Gam
Age: 37
Occupation :
Address:S/o Lt. G. Gam

R/o Village Matiliang
Anjaw District
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Age: 55
Occupation :
Address:S/o Lt. T. Gam

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Anjaw District
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Age: 29
Occupation :
Address:S/o C. Gam

R/o Village Hoiliang
Anjaw District
AP

51: Sosemso Gam
Age: 36
Occupation :
Address:S/o Jademso Gam

R/o Hoiliang Village
Anjaw District
AP

52: Lakungliam Gam
Age: 55
Occupation :
Address:W/o Lt. G. Gam

R/o Matiliang Village
Anjaw District

AP

53: Karendia Gam

Age: 52

Occupation :

Address:W/o Bapinglum Gam

R/o Holiang Village

Anjaw District

AP

54: Bapinglum Gam

Age: 64

Occupation :

Address:S/o Lt. M. Gam

R/o Hoiliang Village

Anjaw District

AP

55: Sohenso Gam

Age: 36

Occupation :

Address:S/o Bapinglum Gam

R/o Hoiliang Village

Anjaw District

AP

56: Tamlu Gam

Age: 34

Occupation :

Address:D/o Bapinglum Gam

R/o Village Hoiliang

Anjaw District

AP

57: Sajenlu Gam

Age: 31

Occupation :

Address:W/o Chojen Kathak

R/o Village Hoiliang

Anjaw District

AP

58: Beauti Ekai Gam
Age: 29
Occupation :
Address:W/o Bagemso Gam

R/o Matiliang Village
Anjaw District
AP

59: Balasi Gam
Age: 51
Occupation :
Address:W/o Lt. Balinso Gam

R/o Village Khupa
Anjaw District
AP

60: Pekoliang Gam
Age: 39
Occupation :
Address:W/o Khasa Gam.
R/o Village Tafraliang
Anjaw District
AP

61: Ahulia Gam
Age: 43
Occupation :
Address:W/o S. Gam

R/o Village Matiliang
Anjaw District
AP

62: Adorai Ritti
Age: 59
Occupation :
Address:W/o Lt. T. Ritti

R/o Village Khupa
District Anjaw
AP

63: Diyelum Malo

Age: 28
Occupation :
Address:S/o Lt. Nemso Malo

R/o Hoiliang Village
Anjaw District
AP
VERSUS

Lt Major Ankush and 5 Ors
Age: 0
Occupation :
Address:the Officer Commanding
116 RCC (GREF) Hayuliang C/o 99 APO
Anjaw District
792104
Arunachal Pradesh
2:Anurag Jain
Age: 0
Occupation :
Address:Secretary
ministry of Road Transport and Highways
Bhawan 1
Parliament Street
New Delhi 110001

Advocate for : Sunil Mow
Advocate for : appearing for Lt Major Ankush and 5 Ors: Advocate , appearing for 2,
respectively.

BEFORE
HONBLE MRS. JUSTICE MARLI VANKUNG

ORDER

Date : 31.07.2024

Heard Mr. R. Rakshap, learned counsel for the applicant. Also heard Ms. S. Tsomo, learned counsel for the respondents.

2. Mr. Raksap, learned counsel for the applicant, has prayed that the name of respondent No. 2 in the Contempt Case No. 12 of 2024 may be struck-off since

the respondent No. 2 has no role to play in the compliance of the judgment and order of this Court dated 30.01.2024 in WP(C)No.18/2023. He submits that the road in question in the said writ petition does not fall under the jurisdiction of the applicant and though the applicant is willing to comply with the Court's order, but is not in a position to do so since it has no part to play for the compliance of the judgment and order.

3. Mr. Raksap submits that Hunli-Mentengliang-Hayulian, Defence Road from KM 143.00 to 158.00 KM in Anjaw District is Constructed by the Border Roads Organization (BRO) which is funded by the Ministry of Defence (MoD) and not by the Ministry of Roads and Transport & Highways (MoRTH)/respondent No. 2.

4. Having heard the submissions made by the learned counsel for the applicant and on perusal of the order of this Court dated 30.01.2024 passed in WP(C)No.18/2023, this Court finds it appropriate that the name of the respondent No. 2 may be struck off in the instant contempt petition being Contempt Case No. 12 of 2024.

5. Accordingly, the interlocutory application stands allowed and disposed of.

6. Registry to do the needful.

JUDGE

Comparing Assistant