

GAHC040011222024



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

Case No. : WP(C)/374/2024

Nuney Tayang
Son of Late Posu Tayang, permanent resident of Shivaji Nagar Road, Tezu, Lohit
District, Arunachal Pradesh.

VERSUS

- 1) The State of AP and 3 Ors
Address - represented by the Secretary, Land Management, Civil
Secretariat, Govt of Arunachal Pradesh, Itanagar.
Advocate - GA (AP),
Dugmar Kamduk, SC (Land Management)
- 2) The Deputy Commissioner
Tezu, Lohit District, Arunachal Pradesh.
- 3) The District Land Revenue and Settlement Officer
Lohit District, Arunachal Pradesh.
- 4) Sosay Manyu
Son of Late Khapkhai Manyu, Permanent resident of Village Manyuliang,
Wakro Circle, PO Medu, PS Wakro, Lohit District, Arunachal Pradesh.

Advocate for the Petitioner : I. Bam

Advocate for the Respondent : D. Kamduk,
N. Ratan, GA (AP)

**BEFORE
HONBLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 02.09.2024

Heard Mr. I. Bam, learned counsel for the petitioner. Also heard Mr. D. Kamduk, learned Standing Counsel, Land Management Department for the respondent Nos. 1 & 3 and Mr. N. Ratan, learned Additional Advocate General for the respondent Nos. 2.

2. Considering the nature of grievance raised in this writ petition, same is taken up and disposed of at the motion stage.

3. By filing this application, the petitioner has sought for a direction to the Deputy Commissioner, Tezu, Lohit District, Arunachal Pradesh, to transfer the Land Possession Certificate (LPC), bearing LPC No. 15, dated 09.08.2004 for an area measuring 1.58 hectares located at Manyuliang village, Lohit District, Arunachal Pradesh, in favour of the petitioner. It is further prayed that the application dated 07.07.2023, submitted by the petitioner be considered and disposed of.

4. The case projected by the petitioner is that he was gifted an area measuring 1.58 hectares located at Manyuliang village, Lohit District, by one *Shri Sosay Manyu* on 03.07.2023 by way of gift deed.

5. The Land Possession Certificate (LPC) was issued in the name of the respondent No. 4. After the land was gifted to the petitioner, he approached the Deputy Commissioner vide his application dated 07.07.2023 for transfer of the ownership and the LPC No. 15, dated 09.08.2004 for an area of 1.58 hectares located at Manyuliang village, Lohit District.

6. It is the contention of the petitioner that the petitioner has proposed to establish a factory in the said area, for which, the land gifted to him is to be transferred so as to enable him to obtain financial help from the Bank. He submits that even after lapse of a year, the Deputy Commissioner is sitting tight over his application, causing serious hardship to the petitioner. Therefore, submits that the Deputy Commissioner, Lohit District, may be directed to consider and dispose of the petitioner's application dated 07.07.2023 by transferring the ownership and the LPC issued to the respondent No. 4 in the name of the petitioner.

7. I have heard the learned counsels appearing for the parties and perused the materials available on record.

8. Having considered that the petitioner has been gifted of a plot of land measuring 1.58 hectares located at Manyuliang village, Lohit District and he has, accordingly, filed an application on 07.07.2023 for transfer of the ownership of

the said land to him, including the LPC issued to the respondent No. 4 being LPC No. 15 dated 09.08.2004, which is pending for a year, I deem it appropriate to dispose of the present writ petition, with a direction to consider and dispose of the application of petitioner.

9. Accordingly, the writ petition is disposed of with a direction to the Deputy Commissioner, Lohit District, Tezu to take up the application of the petitioner dated 07.07.2023 and disposed of the same within a period of 30(thirty) days from today.

10. The writ petition stands disposed of, in terms of above direction.

JUDGE

Comparing Assistant