

GAHC040012092023



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

Case No. : CRP/45/2023

Tana Sushil Tara
S/o Late Tana Teki, Village- Emchi, PO and PS- Doimukh, Papum Pare District,
Arunachal Pradesh.

VERSUS

All Arunachal Pradesh Gaon Burah and Gaon Buri Welfare Association and Anr.
Upper Dobam, PO/PS Banderdewa, Dist Papum Pare, A.P, represented through its
President Cum Head Gaon Burah, All Arunachal Pradesh Gaon Burah and Gaon Buri
Welfare Association. 2:Nabam Dodum

Age: 0

Occupation :

S/o Nabam Takia

Village Dohoso

Zoo Road

Itanagar

PO- RK Mission

PS- Itanagar

District- Papum Pare

A.P

Advocate for the Petitioner : Karyom Dabi, K Tayeng, M Lego, T Tabing, D Riba, Tshering Yangzom
Bhutia, Dusu Rillung, Mukbom Pertin, R. Riba, Muk Pertin, Senior Advocate

Advocate for the Respondent : Khoda Tama, Tania Kipa, R Barman, J Tsering, Habung Aape, Sumit
Chhetri, T Lampung, G Kamduk, N Tajung

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 28-10-2024

Heard Mr. M. Pertin, learned counsel for the petitioner. Also heard Mr. S. Chhetri, learned counsel for the respondent No.1 and Mr. T. Kipa, learned counsel for the respondent No.2.

2. The learned counsel for the respondent No. 1 and respondent No.2 submits that the matter has already been amicably settled between the petitioner and the respondent No.1 and to that effect an affidavit has also been filed by the respondent No.1. Along with the affidavit, a Mutual Settlement Deed is also annexed as Annexure-C.

3. Such affidavit has been filed in the month of August, 2024. This Court passed an order on 05.08.2024, asking the learned counsel for the petitioner to obtain proper instruction in this regard as it was submitted by the said learned counsel that they did not receive any instruction to that effect. Subsequently, by order dated 20.09.2024, while adjourning the matter, this Court made it clear that if the petitioner remain unrepresented on the next date fixed, the Court would presume that in view of consent judgment dated 29.02.2024, passed by the Customary Court, the petitioner is not interest with the matter.

4. When the matter was again listed on 23.10.2024, this Court granted a last chance to complete the instruction whether petitioner would like to object the affidavit filed or whether there was any settlement as projected by the learned counsel for the respondents.

5. Today, when the matter was called, the learned counsel for the petitioner submits that they would like to withdraw from the brief as petitioner did not respond to them.

6. Be that as it may, as the learned counsel for the petitioner has withdrawn the matter, the present petition stands dismissed for non-prosecution.

7. Interim order, if any, stands vacated.

JUDGE

Comparing Assistant