

GAHC040012252023



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

Case No. : WP(C)/441/2023

Shri Phurba Gyana
S/O Lt. Tagi Gyana, village Sekar, PO and PS Mechukha, Shi Yomi, District,
Arunachal Pradesh. Phone No. 9402623158

VERSUS

The State of AP and 2 Others
represented by Secretary, General Administration, Government of Arunachal Pradesh.

2:The Additional Deputy Commissioner

Age: 0

Occupation :

3:Shri Dorjee Khandu Gyana

Age: 0

Occupation

Advocate for the Petitioner : T T Tara

Advocate for the Respondent : GA (AP)

**BEFORE
HONBLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

ORDER

Date : 15.07.2024

Heard Mr. T. T. Tara, learned counsel for the petitioner. Also heard Ms. R. Basar, learned Government Advocate appearing for the respondents no. 1 & 2 and Mr. A. Apang, learned Senior Counsel assisted by Mr. K. Mena, learned counsel for the respondent no. 3.

The challenge in the present proceedings is to a communication dated 10.08.2023, issued by the Additional Deputy Commissioner, Shi Yomi District, Menchuka, forwarding the complaint lodged by the respondent no. 3 against the petitioner to the Executive Engineer, Rural Work Department, Menchuka Division, requiring the same to be settled at the Village Level Kebang and till such settlement is being arrived at, to halt the payment of the bill for the "*Link Road, from Dushinggang to Sekar village*" constructed by the petitioner herein, on the authority of the Power of Attorney given to him by the Proprietor of *M/s Norla Enterprises*.

Mr. T. T. Tara, learned counsel for the petitioner has submitted that during the pendency of the present proceedings, the bills as submitted for the above noted work by the petitioner has since been cleared and accordingly, to that extent, the grievance of the petitioner has been redressed. However, Mr. Tara, learned counsel submits that the requirement of having the complaint lodged by the respondent no. 3 to be considered at the village level Kebang requires interference from this Court.

Mr. A. Apang, learned senior counsel appearing for the respondent no. 3, however, contends that the payment of the bills to the petitioner being the central issue in dispute in the present proceedings and the same having been redressed, no further live issue arises for consideration in the present proceedings. However, the said position is disputed to by the learned counsel for the petitioner.

Having regard to the facts involved in the present proceedings as well as the directions passed by this Court, vide order dated 02.09.2022 in WP(C)454/2016, between the same parties, this Court is of the considered view that no further adjudication is called for in the present proceedings and the grievance of the respondent no. 3, if any, in the matter and as lodged in the complaint made by him and recorded in the communication dated 10.08.2023, shall be redressed in the manner as directed by this Court, vide the said order dated 02.09.2022 in WP(C)454/2016.

With the above observations, the present writ petition is disposed of.

JUDGE

Comparing Assistant