

GAHC030000102013



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

Case No. : WP(C)/55/2013

In RE Laipuitlang Landslide
Aizawl

VERSUS

State of Mizoram and 8 Ors
Aizawl2:Secretary to the Govt. of Mizoram
PWD
Aizawl

3:Aizawl Development Authority
Aizawl
Aizawl

4:Aizawl Municipal council through its Chairman
Aizawl

5:The Deputy Commissioner Champhai
Champhai

6:The Deputy Commissioner Lunglei
Lunglei

7:The Secretary
Geology and Mining Dept.
Aizawl

8:Secretary to the Govt. of Mizoram
UD and PA Dept.
Aizawl
Mizoram

9:Deputy Commissioner
Aizawl District

Aizaw

Advocate for the Petitioner : Mr L H Lianhrima, Sr. Adv. (Amicus Curiae)

Advocate for the Respondent : Addl.AG/GA, Mizoram for R1

B E F O R E

HON'BLE MR. JUSTICE MICHAEL ZOTHANKHUMA
HON'BLE MRS. JUSTICE MARLI VANKUNG

ORDER

10.04.2024

Heard Mr. L.H. Lianhrima, learned Senior Counsel and Amicus Curiae. Also heard Mrs. Mary L. Khiangte, learned Government Advocate for the State respondents and Mr. Zoramchhana, learned Standing Counsel for the respondent No. 4 i.e. AMC.

2. The genesis of this Suo Moto writ petition was the landslide that occurred in Laipuitlang Veng, Aizawl city which resulted in the collapse of many buildings and the loss of lives of 17 persons.

3. Compensation was paid @ Rs. 1.5 lakh to the family members of the deceased.

4. The report of the Deputy Commissioner, Aizawl on the cause of landslide laid the blame at the door of the PWD, Government of Mizoram.

5. During the pendency of this case, the Crisis Management Plan of Mizoram, 2014 and the Mizoram State Disaster Management Plan, 2015 were made. Thereafter, the Urban Development and Poverty Alleviation Department formulated the Landslide

Modification Regulation, 2016. Subsequently, the Aizawl Municipal Corporation Site Development and Slope Modification Regulation, 2016 was also formulated alongwith the Mizoram Urban Areas (Land Development, Landslide Prevention and Mitigation) Rules, 2017.

6. The Draft Mizoram Municipal Common Cadre Service Rules, 2019 was also propagated. Appointments to the 2 posts of Geologists have also been made.

7. During the pendency of the present case, many instances of landslides affecting various locality, pertaining to Republic Veng, Vaivakawn to Zohnuai Road, Vaivakawn to Chhangurkawn Road, National Highway 54 etc. have been taken up and the State respondents have been making earnest efforts to mitigate the problems of continual landslides occurring within Aizawl City.

8. On considering the entire gamut of the present case, we are of the view that the purpose for which this case was registered has been served for the time being. Accordingly, in our opinion, the present case should be closed and if urgent and important matters are to be taken up again, the same can be considered at the appropriate stage. Accordingly, we close the present writ petition.

9. In view of the assistance provided by Mr. L.H. Lianhrima, learned Senior Counsel and Amicus Curiae, his fee is fixed at Rs. 30,000/- (Rupees Thirty thousand) only, which should be paid by the Public Works Department (PWD), Government of Mizoram.

10. The writ petition is accordingly disposed of.

JUDGE

JUDGE

Comparing Assistant