

GAHC030006402024



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

Case No. : Cont.Cas(C)/1/2020

Lawngtlai district Land Owners Association r/b President and Anr
Lawngtlai
Mizoram

2: Sh. T. Zatlunga
Council Veng
Lawngtlai
VERSUS

Sh. Shashanka Ala and 6 Ors
Deputy Commissioner
Lawngtlai

2:K Sawmvela
The Engineer in Chief
Public Works Department
Aizawl

3:Dr. Andrew H. Vanlaldika
Deputy Commissioner
Lawngtlai District
Lawngtlai
Mizoram

4:Sh. Amol Srivastava
Deputy Commissioner
Lawngtlai District
Lawngtlai
Mizoram

5:Sh. Bowman
Engineer-in-Chief
PWD
Mizoram

Aizawl

6:Sh. C. Lalhmingthanga
Engineer-in-Chief
PWD
Govt. of Mizoram
Aizawl

7:Sh David Lalthantluanga
Deputy Commissioner
Lawngtlai Dist.
Lawngtlai

For the Petitioner(s) : Mr. Victor L Ralte, Advocate

For the Respondent(s) : Mrs. Linda L Fambawl, Addl. AG, Mizoram

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH
ORDER**

Date : 23.10.2024

Heard Mr. Victor L Ralte, the learned counsel appearing on behalf of the Petitioners and Mrs. Linda L Fambawl, the learned Additional Advocate General appearing on behalf of the Respondents.

2. The instant contempt application has been filed alleging willful and deliberate violation to the order dated 19.07.2019 passed by this Court in WP(C) No.90/2019.

3. At this stage, it is pertinent to mention herein that the Petitioners herein had filed a writ petition being WP(C) No.90/2019 seeking a writ in the nature of mandamus that the Petitioners should be granted the compensation in terms with the Supplementary Award No.1/2016 and further challenging the cancellation of the Supplementary Award No.1/2016.

4. It is relevant to take note of that pursuant to the filing of the writ petition, this Court vide an order dated 19.07.2019 issued notice and directed that till the next date, the status quo as on 19.07.2019 be maintained by the Respondents. The allegation so made in the instant application as regards the violation is on the basis of a purported Award dated 27.09.2019 being Draft Award No.1/2019 which as per the Petitioners was in violation to the order dated 19.07.2019 inasmuch as there was a specific direction upon the Respondents to maintain status quo.

5. This Court has duly perused the various affidavits which have been filed in the instant proceedings including the affidavit which has been filed in the accompanying writ petition being WP(C) No.90/2019. This Court has also taken note of that the interim order which was passed on 19.07.2019 have been modified by this Court vide an order dated 08.12.2021 whereby this Court had permitted the Respondents to go ahead in taking appropriate action so as to pay genuine land owners numbering 138 their due compensation.

6. It is pertinent herein to take note of that on 24.04.2024, an additional affidavit has been filed by the Deputy Commissioner-cum-District Collector, Lawngtlai District in pursuance to the order dated 06.03.2024 passed in WP(C) No.90/2019. From a perusal of the said affidavit, it appears that the Draft Award No.1/2019 was brought to any logical conclusion. It is only pursuant to the order of modification dated 08.12.2021 another Draft Award No.1/2022 has been made. Under such circumstances, the question of violation of the order dated 19.07.2019 as alleged in the instant contempt application does not arise.

7. Accordingly, the instant contempt proceedings stands dropped.

JUDGE

Comparing Assistant