

GAHC030000612020



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

Case No. : RFA/4/2020

The Secretary to the Government of Mizoram and 5 Ors.
Minor Irrigation Department, Mizoram

2: The State of Mizoram r/b The Chief Secretary to the Government of Mizoram

3: The Chief-Engineer
i/c Minor and Irrigation Department

4: The Executive Engineer

5: Sub-Divisional Officer

6: Deputy Commissioner/District Collector

VERSUS

Sh. Lalhrezuala and Anr.
Ramthar, Lunglei, Mizoram 2: Rokhar

Advocate for the Petitioner : Mrs. H Lalmalsawmi (Addl.AG/GA, Mizoram)

Advocate for the Respondent : Mr B Lalramenga

Linked Case : I.A.(Civil)/10/2020

The Secretary to the Government of Mizoram
Minor Irrigation Department
Mizoram

2: The State of Mizoram r/b The Chief Secretary to the Government of Mizoram
Aizawl
Mizoram

3: The Chief-Engineer
i/c Minor and Irrigation Department
Aizawl

4: The Executive Engineer
Irrigation Division
Lunglei District
Mizoram

5: Sub-Divisional Officer

6: Deputy Commissioner/District Collector
Lunglei District
Lunglei
Mizoram
VERSUS

Lalhrezuala
Ramthar
Lunglei
Mizoram

2: Rokhara
Ramthar
Lunglei
Mizoram

Advocate for the Petitioner : H Lalmalsawmi
Advocate for the Respondent :

Linked Case : I.A.(Civil)/11/2020

The Secretary to the Government of Mizoram
Minor Irrigation Department
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VERSUS

Lalhrezuala
Ramthar
Lunglei

2:Rokhara
Ramthar
Lunglei
Mizoram

Advocate for the Petitioner : H Lalmalsawmi
Advocate for the Respondent :

**BEFORE
HONOURABLE MRS. JUSTICE MARLI VANKUNG
ORDER**

Date : 02-04-2024

Heard Mrs. H. Lalmalsawmi, learned Government Advocate for the appellant along with Mr. B. Lalramenga, learned counsel for the respondents. Both the counsels submit that this matter may be disposed of, since the parties have come to an amicable settlement at Lok Adalat.

On perusal of the documents enclosed, it is seen that both the parties

had appeared before the Lok Adalat held on 21.10.2023 and the parties had come to an amicable settlement, which is as follows:-

“AGREEMENT

Whereas High Court Case No. R.F.A No.4 of 2020, (Secretary, Irrigation & Water Resources Department - Vrs - Lalhrezuala Sailo & Rokhara) Ramthar veng, Lunglei is referred by the Hon'ble Gauhati High Court (Mizoram Bench) to Lok Adalat for amicable Settlement of the case of Compensation awarded by the District Session Court, Lunglei in Civil Suit No. 19 of 2010 delivered on 24.07.2019. According to the aforesaid Judgement & Order, the Department is to grant damaged Compensation for land and crops in respect of the following persons :-

1) Lalhrezuala Sailo

*- a)Land: Rs 3,64,474.00
(b)Crops: Rs 2,73,500.00*

Total : Rs 6,37,974.00

(Rupees six lakhs thirty seven thousand nine hundred seventy four)only

2) Rokhara - (a)Land: Rs 1,31,062.00

(b)Crops: Rs 1,50,500.00

Total: Rs 2,81,562.00

(Rupees two lakhs eighty one thousand five hundred sixty two) only.

After deliberate discussion before the Lok Adalat, an amicable Settlement have been reached as detail

No solatium will be claimed by the two Parties (Plaintiff & Dependent) and that 6% penal interest per annum after the lapsed of 2 months from the date of delivery of Judgement & Order passed by the Trial Court (i.e. Sept 2019 - Sept.2023 for 4 yrs) shall be granted as calculated below:-

(a) Lalhrezuala Sailo - **Rs 6,37,974 + 1,53,112 = 7,91,086** (b)

Rokhara - **Rs 2,81,562 + 69,256 = 3,49,138**

Grand Total - Rs 9,19,536 + 2,20,688 = 11,40,224

(Rupees Eleven lakh forty thousand two hundred twenty four) only.

The Department is bound to move the case to Finance Department immediately for allocation of Fund to this purpose

The Department is bound to make payment immediately after obtaining Finance Department's concurrence and the bills are duly passed by Treasury officer concerned.

The plaintiff will not further claim interest for the time lapse till sanctioning of the allocated fund from Finance Department."

Dated Aizawl, 17th October, 2023

Sd/-

(NGURCHHINGA SAILO)

for & on behalf of

1. Lalhrezuala Sailo &

2. Rokhara

Plaintiffs, Ramthar Veng, Lunglei

Sd/-

(DR. H. LALTHLANGLIANA)

Secretary to the Govt. of Mizoram

Irrigation & Water Resources Department

Mizoram, Aizawl.

Witnesses

Sd/-

(C.ROSIAMA)

Superintendent

Health & Family Welfare Department

Ramthar Veng, Aizawl

Sd/-

(BEIZAWZI AZYU)

Superintendent Engineer, W&D,

Office of the Chief Engineer, I&WR

In view of the above, this Court finds the above terms of agreement acceptable and the RFA No. 4/2020 stands disposed of in terms of the amicable settlement reach by the parties at the Lok Adalat organized by the High Court Legal Services Committee on 21.10.2023.

JUDGE

Comparing Assistant