

GAHC020002392022

2024:GAU-NL:618



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

Case No. : WP(C)/90/2022

SHRI. IKATO AYEMI AND ANR
S/O KIKHESHE AYEMI, R/O WESTYARD COLONY, HOUSE NO. 201

2: SHRI. KIKHESHE AYE
S/O VISHEPU AYE
R/O WESTWARD COLONY
HOUSE NO. 254
DIMAPUR NAGALAN

VERSUS

THE STATE OF NAGALAND AND 2 ORS
THROUGH THE CHIEF SECRETARY TO THE GOVT. OF NAGALAND,
NAGALAND KOHIMA

2:THE DEPUTY COMMISSIONER
DIMAPUR NAGALAND

3:THE COMMANDING OFFICER
121 INF BN (TN) GARH RIF
DIMAPUR NAGALAN

Advocate for the Petitioner : SENTIYANGER, CHUBA IMCHEN,VESUTOLU THERIE

Advocate for the Respondent : GOVT ADV NL,

**BEFORE
HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

28.11.2024

Mr. Sentianger, learned counsel appearing on behalf of the petitioners submits that both the Union of India and the State respondents have raised a disputed question of facts in their affidavits. He, therefore, submits that since the dispute pertains to some facts, he wants to approach the Civil Court for seeking relief. On that ground learned counsel, Mr. Sentianger submits that he wants to withdraw this Writ Petition and prays for liberty to approach the Civil Court for seeking relief.

I have also heard Mr. Yangerwati, learned CGC appearing for the Union of India.

I have considered the submissions made by the learned counsels of both sides.

The prayer of learned counsel, Mr. Sentianger is allowed.

The present Writ Petition stands disposed of on withdrawal. Liberty is granted to the petitioners to approach the Civil Court for seeking relief.

Both sides are directed to maintain status quo for 30 (thirty) days in respect of the properties concerned.

JUDGE

Comparing Assistant