

GAHC020005662024

2024:GAU-NL:530



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

Case No. : Review.Pet./3/2024

THE DEPUTY COMMISSIONER
DIMAPUR
DIMAPUR NAGALAND

VERSUS

KIRHA VILLAGE COUNCIL AND 2 ORS
REPRESENTED BY THE CHAIRMAN
SHRI VIZOKHOL ANGAMI
RESIDING AT KIRHA
CHUMOUKEDIMA
NAGALAND

2:SHRI CHOSEL ANGAMI
HEAD GB
KIRHA VILLAGE
RESIDING AT KIRHA VILLAGE
CHUMOULEDIMA NAGALAND

3:THE COMMANDANT
ASSAM RIFLE TRAINING CENTRE (ARTC)
3TH MILE
DIPHUPAR
CHUMOUKEDIMA
NAGALAND

Advocate for : GOVT ADV NL
Advocate for : appearing for KIRHA VILLAGE COUNCIL AND 2 ORS

**BEFORE
HONBLE MR JUSTICE KARDAK ETE**

ORDER

Date : 30.09.2024

Heard Ms. V. Suokhrie, learned Additional Advocate General for the applicant. Also heard Mr. L. Iralu, learned counsel for the respondent Nos. 1 & 2 and Mr. R. Ngullie, learned counsel for the respondent No 3.

2. This is a civil review petition praying for review of the order dated 25.07.2023, passed in WP(C) No. 70/2019.

3. Ms. V. Suokhrie, learned counsel for the review petitioner submits that by notification dated 20.12.2021, the District of Chumoukedima was created and Kirha village falls under the jurisdiction of newly created Chumoukedima District, however, neither of the contesting parties apprised this facts to the Court at the time of hearing and for which this Court while passing the order dated 25.07.2023 in WP(C) No. 70/2019 had directed the petitioners to file a fresh representation before the Deputy Commissioner, Dimapur. It has further directed that on receipt of the representation, the Deputy Commissioner, Dimapur is directed to conduct the Spot Verification at Dag No. 7 by giving notice to the petitioners as well as the Assam Rifles and thereafter, to take appropriate action on the basis of the Verification Report in accordance with law within a period of 1(one) month.

4. She submits that since the Kirha village falls under jurisdiction of Chumoukedima District and not under the Dimapur District which has not brought to the knowledge of this Court at the time of hearing, and this Court had directed the petitioner/Deputy Commissioner, Dimapur to conduct the Spot

Verification, she prayed that the Deputy Commissioner, Dimapur be replaced by the Deputy Commissioner, Chumoukedima, at paragraph No. 7, 8 & 9 of the order dated 25.07.2023.

5. Mr. L. Iralu and Mr. R. Ngullie, learned counsel for the respondents have no objection to the prayer for review by replacing the name of the Deputy Commissioner, Dimapur to Deputy Commissioner Chumoukedima.

6. Having considered the submissions and considering that the Kirha village falls under jurisdiction of the newly created Chumoukedima District, I deem it appropriate to allow this present review petition to the effect that the name of the Deputy Commissioner, Dimapur be replaced by the name of the Deputy Commissioner, Chumoukedima.

7. Accordingly, at paragraph Nos. 7, 8 & 9 of the order dated 25.07.2023, wherever, the name of the Deputy Commissioner, Dimapur is recorded the name of the Deputy Commissioner Chumoukedima shall be substituted.

8. The review petition stands allowed and dispose of.

JUDGE

Comparing Assistant