

GAHC020007802024

2024:GAU-NL:623



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

Case No. : WP(C)/295/2024

SHRI MONGLONG, G.B. AND 4 ORS
R/O YONGPHANG VILLAGE
LONGLENG NAGALAND

2: SHRI. CHONGMEI PHOM
YONGPHANG VILLAGE COUNCIL MEMBER
R/O YONGPHANG VILLAGE
LONGLENG NAGALAND

3: SHRI TANGE
YONGPHANG VILLAGE COUNCIL MEMBER
R/O YONGPHANG VILLAGE
LONGLENG NAGALAND

4: SHRI. THANYEI
R/O YONGPHANG VILLAGE
LONGLENG NAGALAND

5: SHRI BUNGA PHOM
R/O YONGPHANG VILLAGE
LONGLENG NAGALAN

VERSUS

STATE OF NAGALAND AND 6 ORS
REPRESENTED BY THE CHIEF SECRETARY
NAGALAND KOHIMA

2:THE COMMISSIONER AND SECRETARY
RURAL DEVELOPMENT
NAGALAND KOHIMA

3:THE DIRECTOR

DEPARTMENT OF RURAL DEVELOPMENT
GOVT. OF NAGALAND

4:THE PROJECT DIRECTOR
DISTRICT RURAL DEVELOPMENT AUTHORITY
LONGLENG NAGALAND

5:THE DEPUTY COMMISSIONER
LONGLENG NAGALAND

6:THE BLOCK DEVELOPMENT OFFICER
RURAL DEVELOPMENT BLOCK SAKSHI
LONGLENG NAGALAND

7:THE SECRETARY
VILLAGE DEVELOPMENT BOARD
YONGPHANG VILLAGE
LONGLENG NAGALAN

Advocate for the Petitioner : MOA JAMIR, M JEMU,MANHEIH KONYAK,R
MERE,THEJANUO METHA,T.METSIEO,SHISA JAMIR

Advocate for the Respondent : GOVT ADV NL,

BEFORE
HON'BLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 29-11-2024

Heard Mr. Moa Jamir, learned counsel for the petitioners. I have also heard Ms. S. Chang, learned Government Advocate appearing on behalf of the State respondents.

2. The case of the petitioners is that as per this information under the scheme of National Rural Employment Guarantee Act, 20025 (NREGA), a sum of Rs. Rs.2,87,68,579/-, was allocated for the year 2022 to 2024, for Yongphang village, under Sakshi block, Longleng district. This allocation was for the completed scheme. However, only a sum of Rs. 67,67,014/-

has been benefited by the public and a total sum of Rs.2,20,01,565/- has been misappropriated.

3. By filing this writ petition under Article 226 of the Constitution of India, the petitioners seek and prays for the following directions: -

- i. To consider and dispose of the complaint dated 21.10.2024 submitted by the petitioners in accordance with law within a stipulated time;
- ii. To set up an independent Inquiry Committee with regard to misappropriation in respect of Yongphang village Longleng, Nagaland under MNREGA scheme for the year v2022-2024 and initiate legal proceedings in terms of law.

4. The learned counsel for the petitioners submits that in this regard, the petitioners have submitted a representation before the Deputy Commissioner, Longleng (respondent No.5), on 21.10.2024, and requested to look into the matter in order to bring about a peaceful solution for both the parties with a view to avoid any complications. However, the said representation is still pending disposal before the Deputy Commissioner, Longleng.

5. At this stage, the learned counsel for the petitioners has a limited prayer to direct the Deputy Commissioner, Longleng to dispose of the said representation submitted by the petitioners on 21.10.2024. The learned counsel for the petitioners also is not pressing for prayer No.ii for setting up of independent Inquiry with regard to the alleged misappropriation etc. at this stage.

6. Ms. S. Chang, learned Government Advocate appearing on behalf of the State respondents initially requested for issuance of notice. However,

considering that the petitioner has a limited prayer at this stage only for disposal of the representation submitted by the petitioners before the Deputy Commissioner, Longleng, and not pressing for other prayer, she has not raised any objection.

7. In view of the above submissions of the learned counsel for the petitioners, and considering that the petitioners has limited prayer for direction to dispose of the representation submitted by the petitioners before the Deputy Commission, and no objection being raised by the respondent, I prefer to dispose of the writ petition at the motion stage itself. Accordingly, this writ petition is disposed of with a direction to the respondent authorities, more particularly the Deputy Commissioner, Longleng (respondent No.5), to dispose of the representation dated 21.10.2024 submitted by the petitioners with a speaking order, preferably within a period of 15 days from the date of receipt of this order.

With the above, the writ petition stand disposed of.

JUDGE

Comparing Assistant