GAHC030002052026

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

Case No. : WP(C)/35/2026

Sh. Lalnghinglova
S/o Thangluaia (L),
Falkland, Aizawl, Mizoram

VERSUS

The State of Mizoram and 3 Ors.
R/b Chief Secretary, Govt. of Mizoram, Aizawl 2:The Deputy Commissioner-cum-District Collector

3:The Director
Department of Disaster Management and Rehabilitation

4:The Executive Engineer
Public Works Department (PWD

Advocate for the Petitioner : Mr. Samuel L Pachuau

Advocate for the Respondent : Addl. AG/GA, Mizoram for R1-4

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA
JUDGMENT / ORDER

28.07.2026

1. Heard Mr. Samuel L. Pachuau, learned counsel for the petitioner, who

submits that the State respondents have started unauthorized excavation work on the land of the petitioner, which is covered by LSC No.3341/1985 located at Falkland, Aizawl.

2. The petitioner's counsel submits that the excavation work on the land of the petitioner was undertaken without any notice being given to the petitioner or consent taken from the petitioner. He also submits that the petitioner submitted a representation dated 25.02.2026 to the Deputy Commissioner, Aizawl, with a prayer to cause an inquiry to ascertain the Department or Authority which has undertaken the excavation work on the petitioner's land and if it was found that the land of the petitioner had been effected, the land of the petitioner should be acquired as per the Acquisition Law applicable in the State.

3. On a query raised to the petitioner's counsel as to which Department had undertaken the excavation work on the petitioner's land, the counsel for the petitioner submits that he does not know the said Department.

4. Ms. Vanneihsiami, learned Government Advocate for the State respondents is present along with a Junior Engineer of the PWD, who has undertaken the excavation work for construction of a retaining wall. They submit that the land of the petitioner has not been effected by the work undertaken by the PWD Department. The learned Government Advocate submits that a spot verification had been conducted on 11.04.2026, wherein it was found that the excavation work done by the PWD did not encroach upon the land of the petitioner.

5. In view of the above disputed question of fact, this Court is of the view that no relief can be granted to the petitioner by this Writ Court, as evidence would have to be adduced. However, if the petitioner is of the view that the submissions of the learned Government Advocate for the State respondent and the Junior Engineer, PWD is factually wrong, he may approach the Civil Court with his grievance.

6. The writ petition is accordingly dismissed.

JUDGE

Comparing Assistant