GAHC030002192025

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

Case No. : RFA/12/2025

The State of Mizoram and 3 Ors.
Represented by the Chief Secretary to the Government of Mizoram, Aizawl

2: The Secretary to the Government of Mizoram

3: The Director

4: The Settlement Office

VERSUS

Smt. Lalhlupuii and Anr.
D/o Ramliana, R/o Bungkawn, Aizawl, Mizoram

2:Sh. K. Lalhmunmawi

Advocate for the Petitioner : Addl. AG/GA, Mizoram

Advocate for the Respondent : James Lalawmpuia for R1-R2

BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG
JUDGMENT / ORDER

Date : **03.08.2026**

Heard Ms. Vanneihsiami, learned Government Advocate, appearing on behalf of the appellants. Also heard Ms. K. Lalrindiki, learned counsel appearing on behalf of the respondent No. 1. However, none has appeared on behalf of the respondent No. 2.

2. This regular appeal has been preferred under Section 17(2)(b) of the Mizoram Civil Courts Act, 2025, *read with* Section 96 and Order 41 of the Code of Civil Procedure, 1908, assailing the judgment and decree dated 19.07.2024, passed by the learned Civil Judge(Junior Division)-IV, Aizawl District, Aizawl, in Civil Suit No. 99/2022.

3. At the outset, the learned Government Advocate for the appellants has submitted that the appellants do not challenge the findings recorded by the learned trial Court from Clause(i) to Clause(iv) of the operative part of the judgment and order, whereby, it declared the respondent No. 1 as the legal and rightful owner of the suit land; declared the sale deed dated 16.10.2020 as null and void; cancelled the mutation made in favour of the respondent No. 2; and directed the mutation of the Land Settlement Certificate(LSC) in favour of the respondent No. 1.

4. It is further submitted by the learned Government Advocate for the appellants that the appellants are aggrieved only in respect of Clause (v) of the operative portion of the judgment and order dated 19.07.2024, whereby, the Land Revenue Settlement Department, Government of Mizoram, has been directed to pay the cost of the suit land.

5. The learned counsel appearing on behalf of the respondent No. 1 fairly submits that the respondent No. 1 has no objection if Clause (v) of the operative part of the judgment and order dated 19.07.2024, passed by the learned Civil Judge(Junior Division)-IV, Aizawl District, Aizawl, in Civil Suit No. 99/2022, as prayed for by the appellants, is set aside and the remaining part of the said judgment and order is maintained.

6. In view of the limited challenge made in this appeal and the fair stand taken by the learned counsel for the respondent No. 1; this Court is of the considered opinion that no useful purpose would be served by keeping the instant appeal pending.

7. Since the parties are in agreement, the appeal can be appropriately disposed of at the admission stage itself. Accordingly, the appeal is partly allowed.

8. In view of the above, Clause (v) of the operative part of the judgment and order dated 19.07.2024 passed by the learned Civil Judge (Junior Division)-IV, Aizawl District, Aizawl, in Civil Suit No. 99/2022, directing the Land Revenue Settlement Department, Government of Mizoram, to pay the cost of the suit land, is hereby set aside.

9. However, the remaining directions contained in Clause (i) to (iv) of the operative part of the judgment and decree dated 19.07.2024 passed by the learned Civil Judge(Junior Division)-IV, Aizawl District, Aizawl, in Civil Suit No. 99/2022, are hereby affirmed and shall remain unaltered.

10. The learned counsel for the respondent No. 1 has submitted that the Land Settlement Certificate(LSC) has already been restored and issued in favour of the respondent No. 1 pursuant to the said judgment and order dated 19.07.2024 passed by the learned Civil Judge(Junior Division)-IV, Aizawl District, Aizawl, in Civil Suit No. 99/2022. However, if the same has not yet been restored/issued in favour of the respondent No. 1, the competent authority of the Land Revenue Settlement Department, Government of Mizoram, shall restore/mutate and issue the Land Settlement Certificate(LSC) in favour of the respondent No. 1 in terms of Clause (i) to Clause (iv) of the operative part of the judgment and order dated

19.07.2024.

11. Such compliance shall be done expeditiously preferably within a period of 4(four) weeks from the date of receipt of a certified copy of this order.

12. The appeal, accordingly, stands disposed of in terms above.

JUDGE

Comparing Assistant