GAHC020000142024

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

**Case No. : I.A.(Civil)/5/2024**

KEZHALESA KUOTSU AND 14 ORS
S/O KEDORU KUOSTU,
R/O CHUMOUKEDIMA WARD NO. 01. NAGALAND

VERSUS

THE STATE OF NAGALAND AND 44 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF NAGALAND

**Advocate for the Petitioner** : Z. ZHIMOMI

**Advocate for the Respondent** : GOVT ADV NL

Linked Case : WP(C)/317/2023

SHRI KEZHALESA KUOTSU AND 14 ORS
S/O KEDORU KUOTSU
R/O CHUMOUKEDIMA WARD NO 1
NAGALAND

2: SHRI NEWTON ZHIMOMI
S/O HOVITO
R/O A.G. COLONY
KOHIMA

3: SHRI KEKHRIESILIE RICHA
S/O KECHAVILIE RICHA
R/O CHUMOUKEDIMA WARD 2 NAGALAND

4: SHRI KIHEUKIGUMBE RIAME
D/O RAMDAND
R/O CHUMOUKEDIMA WARD NO. 7
NAGALAND

5: SHRI NGAMPAI L KONYAK
S/O W. LEMWANG KONYAK
R/O CHUMOUKEDIMA WARD NO. 7
NAGALAND

6: SHRI BENRITHUNG NGULLIE
S/O T A NGULLIE
R/O CHUMOUKEDIMA WARD NO. 7
NAGALAND

7: SHRI DZIESELHOUTUO
S/O LT. THEYIESAE NIENU
R/O CHUMOUKEDIMA WARD NO. 9
NAGALAND

8: SMTI MHONCHUMI Y TSANGLAO
D/O YANBENTHUNG
R/O CHUMOUKEDIMA WARD NO. 6
NAGALAND

9: SHRI T YONGSEBA SANGTAM
S/O TINGBISE SANGTAM
R/O CHUMOUKEDIMA WARD NO. 1
NAGALAND

10: SHRI KEZHAWELIE RICHA
R/O CHUMOUKEDIMA WARD NO. 2
NAGALAND

11: SHRI R. HAYITHUNG NGULLIE
S/O RENBENMO NGULLIE
R/O CHUMOUKEDIMA WARD NO. 7
NAGALAND

12: SHRI SUNGJEMINBA
R/O CHUMOUKEDIMA WARD NO. 7
NAGALAND

13: SHRI MUKAM
R/O CHUMOUKEDIMA WARD NO. 9
NAGALAND

14: SHRI IMKONGNOKTANG

S/O IMLIAKUM
R/O CHUMOUKEDIMA WARD NO. 7
NAGALAND

15: SHRI EPOVEYI TETSEO
S/O VESUTO TETSEO
R/O CHUMOUKEDIMA WARD NO. 6
NAGALAND
VERSUS

THE STATE OF NAGALAND AND 44 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF NAGALAND

2:THE HOME COMMISSIONER
NAGALAND KOHIMA

3:THE DGP
NAGALAND KOHIMA

4:DY. INSPECTOR OF POLICE (HQ)
NAGALAND KOHIMA

5:DIRECTOR GENERAL
HOME GUARD AND CIVIL DEFENCE
NAGALAND KOHIMA

6:SHRI IMCHALONG
ASI
O/O SUPERINTENDENT OF POLICE-MOKOKCHUNG

7:SMTI ZHABOUNUO
ASI
O/O SUPERINTENDENT OF POLICE- KOHIMA

8:SHRI KAKUM OZUKUM
ASI
PHQ KOHIMA

9:ER JAMES KIKON
UBSI
PHQ KOHIMA

10:SHRI BENJAMIN KIKON
ASI (GD)
DEF
MOKOKCHUNG

11:SHRI PANGNAN KONYAK

UBSI
O/O SUPERINTENDENT OF POLICE- MON

12:SHRI IKATO N AYEMI
ASI
O/O COMMISSIONER OF POLICE
DIMAPUR

13:SHRI VIKATO ACHUMI
ASI
O/O SUPERINTENDENT OF POLICE-ZUNHEBOTO

14:SHRI ATING KONYAK Y
ASI
DEF MON

15:SHRI HEVI KINIMI
ASI
DEF ZUNHEBOTO

16:SHRI CHUBANUNGBA
UBSI
DEF WOKHA

17:SHRI ARON
ASI
DEF TUENSANG

18:SHRI YANGPOTHUNG EZUNG
ASI
DEF MON

19:SMTI LITHUNGBENI PATTON
ASI
DEF WOKHA

20:SHRI KITOVI YEPTHO
ASI
PHQ KOHIMA

21:SHRI WOBENTHUNG ODYOU
ASI
IGP (INT)

22:SMTI SACHUMLO KIKON
ASI
DEF KOHIMA

23:SMTI. SENBEN K SHITIO
UBSI
DEF MON

24:SMTI VENUS KIKON
ASI
DEF MON

25:SHRI KAKUGHA T JAKHA
ASI
DEF KIPHIRE

26:SHRI SATAMKAVA PHOM
ASI
DEF TUENSANG

27:SHRI CHUMBEN KIKON
UBSI
DEF LONGLENG

28:SHRI NZANTHUNG W SHITIRI
ASI
IGP (INT)

29:SHRI EYINGO N PATTON
UBSI
IGP (INT)

30:SHRI Y. SULANTHUNG ODYUO
ASI
IGP(INT)

31:SHRI MHONYAMO N ODYUO
UBSI
DEF WOKHA

32:SHRI WILLIAM LOTHA
UBSI
IGP (INT)

33:SHRI ENDILONG LONGKUMER
UBSI
DEF MOKOKCHUNG

34:SHRI SUNTHUNGO R PATTON
UBSI
DEF MON

35:SHRI CHUMREMO J NGULLIE
ASI
DEF TUENSANG

36:SHRI E SOTHUNGO MURRY
ASI
DEF MOKOKCHUNG

37:SHRI HETOKA CHOPHI
ASI
DEF TUENSANG

38:SHRI S LIPENTHUNG EZUNG
ASI
DEF MON

39:SHRI IMLITEMSU
UBSI
DEF TUENSANG

40:SMTI KHRIEVONO
ASI
DEF KIPHIRE

41:SHRI LIPOKRI LONGCHARI
UBSI
PHQ KOHIMA

42:SHRI T AKABA AIER
SI
DISTRICT COMMANDANT HOME GUARD AND CIVIL DEFENCE
TUENSANG

43:SHRI. TINGKAM KONYAK
SI
SIDTRICT COMMANDANT HOME GUARD AND CIVIL DEFENCE
ZUNHEBOTO

44:SHRI VIBOTO H SUMI
SI
DISTRICT COMMANDANT HOME GUARD AND CIVIL DEFENCE
PHEK

45:SHRI KENEILEKHO SOPHIE (INSTRUCTOR HAVALDAR)
CEBTRAL TRAINING INSTITUTE
HOME GUARD AND CIVIL DEFENCE
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Advocate for : Z. ZHIMOMI

Advocate for : GOVT ADV NL appearing for THE STATE OF NAGALAND AND 44 ORS

**BEFORE**
**HON'BLE MR. JUSTICE NELSON SAILO**

**ORDER**

**12.02.2024**

Heard Ms. Z. Zhimomi, learned counsel for the applicants and Mr. Veto V. Zhimomi, learned State Counsel appearing for the official respondents.

By filing this application, the applicants/writ petitioners seek modification of the Order dated 11.12.2023 passed in WP(C) No. 317/2023 in so far as effecting notice to the private respondent Nos. 6 to 45. It is the case of the applicants that they are unemployed group and that taking steps by registered post with A/D works out to a huge amount which they cannot afford. Therefore, notice to private respondents may be restricted only to the liberty already granted by this Court as per the said Order dated 11.12.2023 i.e., to serve notice to the private respondents through the Director General of Police, Nagaland.

Mr. Veto V. Zhimomi, learned State Counsel submits that according to the instructions he has recieved, it will not be possible for the Director General of Police, Nagaland to cause service of notice to the private respondents since they are all residing in far flung areas and moreover, since it was the Director General of Police,

Nagaland who had appointed them, it will not be proper for the said authority to cause service of notice upon the private respondents.

The Director General of Police, Nagaland being the head of the Institution, he has the command and control over all the units or establishments under him. In other words, the notice can be easily sent and conveyed through the Commandant of various units of the police force or the Superintendent of Police based in all the district headquarters. Therefore, the submission that the Director General of Police, Nagaland cannot facilitate the service of notice upon the private respondents cannot be accepted.

In view of above, the petitioners shall serve requisite extra copies of the writ petition to Mr. Veto V. Zhimomi, learned State Counsel who shall then forward the same to the Director General of Police, Nagaland. The Director General of Police, Nagaland through his establishment shall cause service of notice upon the private respondents within a period of three (3) weeks. A compliance affidavit be filed within a period of one (1) month from today.

I.A is accordingly disposed of. Let a copy of this Order be also placed in the main writ petition.

Sd/-

**JUDGE**

**Comparing Assistant**