GAHC020000712025 2025:GAU-NL:63

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

Case No. : I.A.(Civil)/16/2025

DR. J ALAM, IAS AND 2 ORS
NAGALAND CIVIL SECRERTARIAT
KOHIMA-797004, NAGALAND

2: KESONYU YHOME
IAS
WORKS AND HOUSING DEPT.
NAGALAND KOHIMA

3: KUMAR RAMNIKANT
IAS
DEPUTY COMMISSIONER
KOHIMA NAGALAN

VERSUS

VIZADEL YONGO AND ANR
S/O LAYE KETOHO YONGO
R/O UPPER PR HILL, KOHIMA
BELOW PHQ KOHIMA NAGALAND

2:MR. THEJANGULIE YONGO
R/O UPPER BAYAVU HILL KOHIMA
BELOW VINYUZO SCHOOL UPPER BAYAVU HILL
KOHIMA NAGALAN

Advocate for the Petitioner : LENTSO SANGTAM,

Advocate for the Respondent : ,

BEFORE
HON'BLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 04-03-2025

Heard Mr. A. Sarma, learned counsel for the applicant.

2. By filing this application, the petitioner is praying for impleadment of Dr. J. Alam, IAS, Shri. Kesonyu Yhome, IAS and Shri. Kumar Ramnikant, IAS as respondent nos. 2, 3 and 4 respectively in COP(C)/21/2024.

3. The learned counsel for the applicant submits that by an order dated 07.02.2024 passed in PIL/1/2023, this Court directed the State respondents to submit a proposal along with the assessment made to MoRTH within a period of one month from the date of receipt of the proposal and shall within a period of 3 (three) months accord sanction and make the required fund available to the State for disbursement to the affected land owners through the Deputy Commissioner concerned. The Deputy Commissioner upon receiving the deposit shall disburse the compensation amount to the affected land owner immediately by observing formalities as may be required.

4. For non compliance of the above order dated 07.02.2024, the applicant filed contempt petition only against the Secretary to the Government of India. However, subsequently, by order dated 24.12.2024, the Ministry of Road Transport and Highways (Zone-V, NE) has sanctioned an amount of Rs. 60,05,45,070/- (Rupees Sixty Crore, Five Lakh, Forty Five thousand and Seventy) only to the Commissioner and Secretary to the Government of Nagaland, Department of Works and Housing, which also includes the amount of Rs. 4,70,09,719.74/- that has been claimed in PIL/1/2023.

5. It is submitted that the said letter was intimated to the Chief Secretary, Government of Nagaland, however, till date the beneficiaries have not yet received any amount from the disbursing authority, i.e., the DC, Kohima.

6. The learned counsel for the applicant further submits that the alleged contemnors have full knowledge of the judgment and order dated 07.12.2024, as well as about the sanction of the amount by the Ministry of Road Transport & Highways (Zone-V, NE) on December, 2024. However, they are willfully and deliberately violating the order of this Court passed on 07.02.2024, therefore, prays for their impleadment as party/respondents is necessary for proper adjudication of the connected contempt petition being COP(C)/21/2024,

7. Having heard the learned counsel for the applicant and considering the contention made in the application, the prayer for impleadment of three persons as respondents is allowed.

8. Accordingly, let Dr. J. Alam, IAS, Shri. Kesonyu Yhome, IAS and Shri. Kumar Ramnikant, IAS is allowed to be impleaded as respondent nos. 2, 3 and 4 respectively in COP(C)/21/2024.

9. With the above, this IA stand allowed and disposed of.

JUDGE

Comparing Assistant