GAHC020007992024 2025:GAU-NL:129

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

Case No. : FAO/1/2024

SHRI ABEL SHOHE AND 2 ORS
PROPRIETOR, M/S LPSS INFRA,
ADDRESS-IG STADIUM ROAD, NEAR DIRECTORATE OF FISHERY,
KOHIMA, NAGALAND-797001

2: SHRI HOITO ASSUMI
CHAIRMAN
PHILIMI VILLAGE COUNCIL
ZUNHEBOTO DISTRICT
NAGALAND

3: SHRI HOKUTO SHOHE
CHAIRMAN
KHRIMTOMI VILLAGE COUNCIL
ZUNHEBOTO DISTRICT
NAGALAN

VERSUS

LT.COL.DOSHEHE Y.SEMA (RETD) AND 4 ORS
S/O YETAKHU SEMA, AGED ABOUT 64 YEARS, PERMANENT
RESIDENT OF ROTOMI VILLAGE, ZUNHEBOTO, NAGALAND,
PRESENTLY RESIDING AT H/NO.4.
SEMA KHEL, NOTUN BOSTI, DIMAPUR, NAGALAND

2:SHRI KHEKUGHA
S/O LT. NIGHOVI
AGED ABOUT 41 YEARS
PERMANENT RESIDENT OF PHILIMI VILLAGE
PRESENTLY RESIDING AT H.NO.850
NEAR PUBLIC GROUND
PADAMPUKHURI
DIMAPUR

NAGALAND

3:SHRI S. KAHOTO SEMA
S/O LT.SUKHESHE
AGED ABOUT 68 YEARS
PERMANENT RESIDENT OF AKUHAITO

H.S. COMP.
ZUNHEBOTO
NAGALAND
PRESENTLY RESIDING AT THILIXU VILLAGE
BLOCK-2
LANR-1
CHUMUKEDIMA
NAGALAND

4:TO THE SECRETARY

DEPARTMENT OF PWD (R AND B)
GOVERNMENT OF NAGALAND
ADDRESS-CIVIL SECRETARIAT
KOHIMA
NAGALAND-797001

5:TO THE ENGINEER IN CHIEF

PWD (R AND B)
GOVT. OF NAGALAND
ADDRESS-NPWD COMPLEX
TOP FLOOR
KOHIMA-79700

Advocate for the Petitioner : JOSHUA SHEQI, NAGALI SHOHE,CHINGMEI KONYAK,MIKA H AYE,ATOKA,KEDI KOSO,K LILY SWU,P MHONBENI EZUNG,KETHO SEKHOSE,YEKA SUMI,KEVI KIRE,TUNATO YEPTHO,RUBICA KIHO,KIVITOLI SWU,R WONCHIBENI TSANGLO

Advocate for the Respondent : A NIKATO WOTSA,

Linked Case : C. REVN/15/2024

SHRI ABEL SHOHEAND 2 ORS
PROPREITOR

M/S LPSS INFRA
ADDRESS- IG STADIUM ROAD
NEAR DIRECTORATE OF FISHERY
KOHIMA NAGALAND-797001

2: SHRI HOITO ASSUMI
CHAIRMAN
PHILIMI VILLAGE COUNCIL
ZUNHEBOTO NAGALAND

3: SHRI HOKUTO SHOHE
CHAIRMAN
KHRIMTOMI VILLAGE COUNCIL
ZUNHEBOTO DISTRICT
NAGALAND
VERSUS

SHRI LT. COL. DOSHEHE Y. SEMA (RETD) AND 4 ORS
S/O YETAKHU SEMA
PERMANENT R/O ROTOMI VILLAGE
ZUNHEBOTO NAGALAND
PRESENTLY RESIDING AT H/NO. 4
SEMA KHEL. NOTUN BOSTI
DIMAPUR NAGALAND

2:SHRI KHEKUGA
S/O LATE NIGHOVI
PERMANENT R/O PHILIMI
PRESENTLY RESIDING AT H/NO. 850
NEAR PUBLIC GROUND
PADAMPUKHURI
DIMAPUR NAGALAND

3:SHRI S. KAHOTO SEMA
S/O LT. SUKHEHE
PERMANENT R/O AKUHAITO
H.S. COMP. ZUNHEBOTO
NAGALAND
PRESENTLY RESIDING AT THILIXU VILLAGE
BLOCK-2
LANE-1
CHUMUKEDIMA
NAGALAND

4:THE SECRETARY
PWD (R AND B)
GOVT. OF NAGALAND
CIVIL SECRETARIAT

KOHIMA NAGALAND-797001

5:THE ENGINEER-IN-CHIEF
PWD (R AND B)
GOVT. OF NAGALAND
NPWD COMPLEX
TOP FLOOR
KOHIMA NAGALAND-797001

For the Appellant/Petitioner(s) : Mr. Joshua Sheqi, Advocate

For the Respondent(s) : Mr. A. Nikato Wotsa, Advocate

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 07.04.2025

Mr. Joshua Sheqi, the learned counsel appearing on behalf of the appellants in FAO/1/2024 as well as the petitioners in C.REVN/15/2024 submitted that as the issue involved in the suit pertains to certain lands being required by the Village Council for the purpose of construction of the road which is for the betterment of the Public, endeavors shall be made to have a negotiation with the plaintiffs who are the respondents herein and as such would not like to press both the proceedings before this Court.

2. Taking into account the above, both the proceedings stands closed on withdrawal.

3. Interim orders passed earlier stands vacated.

4. In view of the withdrawal of both the proceedings and the vacation of the interim orders, the parties who are duly represented

shall appear before the learned Trial Court on 02.05.2025 for further proceedings of Civil Suit No. 1/2024.

5. It is however, observed that the pendency of the suit shall not bar the parties to arrive at a negotiable settlement.

6. The records of Civil Suit No. 01/2024 be returned forthwith to the learned Trial Court ensuring that the records are available before the learned Trial Court on 02.05.2025 as fixed by this Court.

JUDGE

Comparing Assistant