

GAHC020005812025

2025:GAU-NL:468



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

Case No. : Review.Pet./7/2025

THE CHIARMAN, ZHERI KHEL PANCHAYAT ANFD ANR
VISWEMA VILLAGE, P.O. JAKHAMA, KOHIMA, NAGALAND-797005

2: TENOSWELE CLAN
R. KHEL
VISWEMA VILLAGE
P.O. JAKHAMA
KOHIMA
NAGALAND-79700

VERSUS

TSUKRU CLAN
REPRESENTED BY SHRI ZAVIKHOL TSUKRU, R/O POTERLANE
COLONY, KOHIMA, NAGALAND. H.NO. 216, PIN-797001

Advocate for the Petitioner : A. ZHO, C. LOSOU,V KOZA,B. SOTO,W. MARHU

Advocate for the Respondent : C. T. JAMIR, SR. ADV, O TEMJEN JAMIR,JAWAMONG
YADEN,IMTILA PONGEN,NUNGSANG AIER,TOSHI JAMIR,ASA RUTSA,ALIBA
OZUKUM,I IMCHEN

BEFORE
HON'BLE MRS. JUSTICE YARENJUNGLA LONGKUMER
ORDER

16/09/2025

This present review petition is filed under Section 114 r/w order 47 Rule 1 of the CPC seeking review of the Judgment and Order dated 08.08.2025, passed by this Court in Civil Revision No. 12/2024.

2. Heard learned counsel for the review petitioner, Mr. A. Zho. Also heard learned senior counsel, Mr. C.T Jamir for the sole respondent assisted by learned counsel, Mr. I. Imchen.

3. The case of the petitioner herein is that in Civil Revision No. 12/2024, the petitioner/respondent had challenged 3 orders being order dated 27.04.2022, 01.07.2022 and 03.07.2024 passed by the Deputy Commissioner, Kohima. The petitioners had not challenged the decision of the Zheri Khel Panchayat dated 27.02.2019 and the review petitioner states that this particular order dated 27.02.2019 was not mentioned either in the order dated 27.04.2022 or 01.07.2022 or 03.07.2024 passed by the Deputy Commissioner, Kohima. However, by this Court's order in Civil Revision No. 12/2024 the Court had made an observation that all other proceedings/orders passed between the parties in respect of the same dispute before any sub-ordinate courts stands vitiated. It is therefore, the submission of the learned counsel that by this blanket order the order dated 27.02.2019 passed by the Zheri Khel Panchayat has also

been nullified and therefore, it is prayed that the order dated 08.08.2025 in Civil Revision No. 12/2024 may be reviewed.

4. Learned senior counsel for the respondent, Mr. C.T Jamir submitted that the present review petition is not maintainable in as much as the scope of review is limited and in the present case the order dated 27.02.2019 passed by the Zheri Khel Panchayat was the main issue of contention between the parties and also before SDO Civil and before Deputy Commissioner, Kohima and the respondent had raised the issue regarding the order passed by the Zheri Khel Panchayat on 27.02.2019. And therefore, the question of not challenging the order dated 27.02.2019 does not arise, and accordingly, there is no merit in the present petition and the same deserve to be dismissed.

5. The Court has considered the submission of the learned counsels and has also gone through the review petition. A party can apply for review only on the ground of discovery of new and important matter of evidence; or mistake or error apparent on the face of the record or any other sufficient reason including misconception of law or fact by the Court or by the counsel. During the proceedings, in Civil Revision No. 12/2024, this Court had the occasion to examine the order dated 27.02.2019 passed by the Zheri Khel Panchayat and it was found the same was an irregular order in as much as the court itself was an interested party in the proceedings and in fact by the order dated 27.02.2019, the Zheri Khel Panchayat had adjudicated the matter and decided that the said disputed land belongs to the Zheri Khel. And therefore, having found the irregularity in the said order dated 27.02.2019, this Court had come to a

finding that the said order also needs to be interfered with. In a Revision Petition this Court in exercise of its power under Article 227 has the supervisory jurisdiction to look into the illegalities or irregularities of any order passed by a subordinate court and therefore, in exercise of the revisional jurisdiction this Court had also interfered with the order dated 27.02.2019.

6. Therefore, in view of the above observation, this Court is of the view that there is no ground to review the Judgment and Order dated 08.08.2025 and accordingly, the Review.Pet./7/2025 is dismissed.

JUDGE

Comparing Assistant