GAHC040007722026

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

Case No. : WP(C)/243/2026

Minya Taipodia Son of Late Karmi Taipodia, resident of Bali Village, Likabali Circle, Lower Siang District, representing the other descendant/ legal heirs of Late Karmi Taipodia in a representative capacity.

VERSUS

The State of AP and 7 Ors
represented by the Commissioner,/ Secretary, Land Management, Govt of Arunachal Pradesh, Civil Secretariat, Itanagar.

2:The Deputy Commissioner Lower Siang District Likabali
Arunachal Pradesh.

3:The District Land Revenue and Settlement Officer
Lower Siang District Likabali
Arunachal Pradesh.

4:Tado Rumdo
Age: 0 Occupation :
resident of Kamcham Village
Kangku Circle Lower Siang District
Arunachal Pradesh.

5:Smti Kekpe Rumdo
Age: 0 Occupation :
resident of Kamcham Village
Kangku Circle Lower Siang District
Arunachal Pradesh.

6:Ibom Kamcham
Age: 0 Occupation :
resident of Kamcham Village
Kangku Circle Lower Siang District
Arunachal Pradesh.

7:Lukchi Kamcham
Age: 0 Occupation :
resident of Kamcham Village
Kangku Circle Lower Siang District
Arunachal Pradesh.

8:Tanga Rumdo
Age: 0 Occupation :
resident of Kamcham Village
Kangku Circle Lower Siang District
Arunachal Pradesh

Advocate for the Petitioner : Kamal Saxena, Rimi Singh, Maga Toni, Bompi Geyi, Moni Bori, Mingkong Pertin

Advocate for the Respondent : GA (AP),

BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 18.11.2026

Heard Mr. Kamal Saxena, learned counsel for the petitioner. Also heard Ms. Pura Sangeeta, learned Government Advocate appearing on behalf of respondent Nos. 1, 2 and 3. None appears on behalf of the private respondent Nos. 4 to 8, although they have entered appearance through their engaged counsel and filed their affidavit-in-opposition.

2. The petitioner, claiming to be the descendant and legal heir of Late Karmi Taipodia, has filed the present writ petition challenging the issuance of Land Possession Certificates (LPCs) in favour of private respondent Nos. 4 to 8 by respondent No. 2, the Deputy Commissioner, Lower Siang District, Likabali, in respect of certain plots of land situated at Missamari/ Nilok area under Likabali Circle.

3. It is the case of the petitioner that the land in question originally belonged to his father, Late Karmi Taipodia, who had donated permiting the Forest Department to use the said land for raising forest plantations on the understanding that the land would be returned to him upon completion of the plantation activities.

4. Mr. Saxena, learned counsel for the petitioner, submits that the ownership and possession of the petitioner's father over the land in question are supported by a certificate dated 09.11.1987 issued in favour of his father Late Karmi Taipodia and another certificate dated 20.06.1990, countersigned by the Range Forest Officer, Likabali Forest Division, Likabali, relating to the plantation activities undertaken over the said land.

5. It is further submitted that, despite having the aforesaid documents in favour of the petitioner, the respondent authorities issued the impugned LPCs in favour of private respondent Nos. 4 to 8 by incorrectly describing the location of the land as falling within Dodum/ Kamcham/Dobom/Kamya villages under Kangku Circle. Whereas, according to the petitioner, the land in question is actually situated at Missamari/Nilok area under Likabali Circle. It is also alleged that the impugned LPCs were issued without following the prescribed procedure and without obtaining the requisite No Objection Certificates (NOCs) from the competent village authorities of Nilok and Bali villages.

6. Being highly aggrieved by the issuance of the aforesaid LPCs, the petitioner submitted several representations and complaints before the competent authorities, more particularly, the respondent no.2, including

those representations dated 21.01.2026, 13.02.2026, 23.02.2026, 06.03.2026, 10.03.2026 and 17.03.2026, seeking cancellation of the LPCs issued in favour of private respondent Nos. 4 to 8. However, as the said representations and complaints have not been considered and remained unattended, the petitioner has approached this Court by filing the present writ petition.

7. The State respondents have filed their affidavit-in-opposition disputing the allegation that the LPCs were issued in contravention of law. However, in paragraph 13 of the affidavit, the State respondents have fairly stated that, upon coming to know of the dispute regarding the location of the land covered by the LPCs, the concerned authority initiated scrutiny of the relevant records for possible cancellation of the LPCs on 06.08.2024, which is stated to be pending consideration. The paragraph 13 of the affidavit-in-opposition being relevant is reproduced bellow:

> "***13. That with regards to the statement made in paragraph-20 of the writ petition, the answering respondent reiterates that the application for LPC was submitted for the land under the territorial jurisdiction of Kamcham Village under Kangku Circle. That neither in the application form nor the village authority (Gaon Bura) of Kamcham village in his/her NOC enclosed in the application form has whisper that the land is located at Missamari/Nilok area. Further, in the application for LPC, the location of the land is clearly mentioned as Dodum village/Kamcham village/Dobom village/Kamya village, hence the LPC was issued.***
>
> ***Therefore the responding authority is vehemently denied to have issued the instant LPC in contravention of law. In fact, after coming into knowledge that the LPC land is actually falls within the disputed land of petitioner the responding authority has started scrutinize the records for cancellation on dated 06.08.2024 and is pending disposal."***

8. The private respondent Nos. 4 to 8 have also filed their affidavit-in-opposition, disputing the claims of the petitioner and asserting that they have been in possession of the respective plots of land covered by the LPCs for several years without any objection from the petitioner.

9. Be that as it may, at this stage, Mr. Saxena, learned counsel for the petitioner, submits that the petitioner would be satisfied if the writ petition is disposed of with a direction to respondent No. 2, the Deputy Commissioner, Lower Siang District, Likabali, to consider and dispose of the pending representations and complaints submitted by the petitioner seeking cancellation of the LPCs issued in favour of private respondent Nos. 4 to 8, by passing a reasoned and speaking order in accordance with law.

10. Ms. Sangeeta, learned Government Advocate, has no objection to the disposal of the writ petition in the aforesaid terms as prayed for by the learned counsel for the petitioner. However, she prays that reasonable time may be granted to the concerned authority to examine the relevant records and complete the necessary proceedings.

11. Having considered the submissions made by the learned counsel for the parties and taking into account the limited prayer now pressed on behalf of the petitioner, this Court is of the view that the matter can be considered by the competent authority, particularly when the State respondents themselves have indicated in their affidavit-in-opposition that scrutiny of the relevant records has already been initiated.

12. Accordingly, without entering into the merits of the rival claims of the parties, the present writ petition is disposed of with a direction to respondent No. 2, the Deputy Commissioner, Lower Siang District, Likabali, to consider and dispose of the pending representations and complaints submitted by the petitioner, including those representations dated 21.01.2026, 13.02.2026, 23.02.2026, 06.03.2026, 10.03.2026 and 17.03.2026, in accordance with law, by passing a reasoned and speaking order. Such, consideration for disposal shall be made, as expeditiously as possible, preferably within a period of 60 (sixty) days from the date of receipt of a certified copy of this order.

13. With the above observations and directions, the writ petition stands disposed of.

JUDGE

Comparing Assistant