GAHC040018302026

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

Case No. : WP(C)/537/2026

Gollo Hare
Son of Late Gollo Tania, resident of Village Lichi, PO and PS Kimin, Papum Pare District, Arunachal Pradesh.

VERSUS

The State of AP and 2 Ors
represented by the Chief Secretary, Itanagar.

2:The Deputy Commissioner
Age: 0
Occupation :
Yupia
Papum Pare District
Arunachal Pradesh.

3:The Officer Commanding
Age: 0
Occupation :
119 Road Construction (COY) Yazali
Keyi Panyor District
Arunachal Pradesh

Advocate for the Petitioner : Chorpok Modi, E S NIDO MARI,Gomtem Tayeng,Topi Bomjen,Sange Drema Philley,Bomyom Ori,Tame Rimi,Nannu Yubi,N Maj,Maji Dui,Maklek Lego,Uttam Deka

Advocate for the Respondent : GA (AP), DSGI

BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE

ORDER

Date : 06-11-2026

Heard Mr. C. Modi, learned counsel for the petitioner. Also heard Ms. T. Wangmo, learned Government Advocate for the State respondents.

2. By filing the present writ petition, the petitioner essentially seeks a direction for consideration and disposal of his representation dated 07.09.2026, submitted before the Deputy Commissioner, Papum Pare District, Yupia, seeking re-measurement and reassessment of his land allegedly affected by the upgradation of the Kimin-Potin Road from Chainage No. 20.00 KM to 35.500 KM, on the ground that the area of his affected land has been incorrectly recorded as 662 sq. metres, whereas the actual affected area measures 2,250 sq. metres.

3. Having considered the simple nature of the prayer made in the writ petition and as agreed to by the learned counsel for the parties, this writ petition is taken up for disposal at the motion stage itself.

4. The petitioner claims to be the owner of land situated in the affected area of the Kimin-Potin Road, which is being upgraded from NHSL specification to NHDL specification from Chainage No. 20.00 KM to 35.500 KM, under 119 RCC (GREF), Kimin Circle, Papum Pare District, Arunachal Pradesh. In connection with the acquisition of land for the aforesaid public purpose, a ground survey and assessment for payment of compensation was scheduled to be conducted from 29.10.2025 to 31.10.2025, pursuant to the order dated 22.10.2025.

5. It is the case of the petitioner that pursuant to the aforesaid survey, a public notice dated 09.02.2026 was issued under Section 11(1) of the Land

Acquisition Act, in which the name of the petitioner appeared at Sl. No. 22, showing the area of his affected land as 662 sq. metres, whereas, the actual area of his land affected by the aforesaid road project measures 2,250 sq. metres. Being aggrieved by the alleged discrepancy in the measurement, the petitioner submitted a representation dated 19.02.2026 before the Deputy Commissioner, Papum Pare District, Yupia, requesting re-measurement of his land.

6. It is further the case of the petitioner that without considering his aforesaid representation, the respondent authorities proceeded with the assessment and payment of compensation, restricting the same to an area of 662 sq. metres, for which the petitioner received an amount of Rs. 51,72,100/- (Rupees fifty one lakh seventy two thousand one hundred only). However, the petitioner claims that an additional area of 1,588 sq. metres of his land has remained unaccounted for in the assessment and therefore, he has been deprived of the compensation payable in respect of the said affected area.

7. It is the further claim of the petitioner that seeking re-measurement and reassessment of his affected land, he submitted another representation dated 07.09.2026 before the Deputy Commissioner, Papum Pare District, Yupia, in continuation of his earlier representation dated 19.02.2026. The petitioner also claims to have approached the Commanding Officer, 119 Road Construction (COY), Yazali, on 16.09.2026, who, responded positively to his grievance but indicated that the appropriate authority to initiate necessary action in the matter would be the Deputy Commissioner.

8. Despite approaching the concerned authorities on several occasions, the petitioner claims that no action has been initiated on his representation dated 07.09.2026. The petitioner is apprehensive that unless his grievance regarding

the alleged incorrect measurement of his land is examined and appropriate steps are taken, he may be deprived of compensation in respect of the remaining affected area of 1,588 sq. metres. Therefore, he seeks a direction to the Deputy Commissioner, Papum Pare District, Yupia, to consider and dispose of his representation dated 07.09.2026 by passing a reasoned and speaking order.

9. Ms. T. Wangmo, learned Government Advocate, fairly submits that she would have no serious objection to the prayer made by the petitioner for consideration and disposal of his representation dated 07.09.2026, without entering into the merits of his claim.

10. Having considered the nature of the grievance raised by the petitioner with regard to the alleged discrepancy in the measurement of his affected land in connection with the upgradation of the Kimin-Potin Road from Chainage No. 20.00 KM to 35.500 KM, and that the petitioner has already received compensation in respect of 662 sq. metres of land, whereas he claims that the actual affected area measures 2,250 sq. metres, and as agreed to by the learned counsel for the parties, I deem it appropriate to dispose of this writ petition with a direction to the Deputy Commissioner, Papum Pare District, Yupia, Arunachal Pradesh, to take up the representation dated 07.09.2026 submitted by the petitioner.

11. Accordingly, the Deputy Commissioner, Papum Pare District, Yupia, Arunachal Pradesh, is directed to consider and dispose of the representation dated 07.09.2026 submitted by the petitioner, in accordance with law, by passing a reasoned and speaking order, within a period of 20 (twenty) days from the date of receipt of a certified copy of this order.

12. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner, including the actual measurement of the affected land and his entitlement to any further compensation, which shall be considered independently by the Deputy Commissioner, in accordance with law.

13. The writ petition stands disposed of in terms of the above directions.

JUDGE

Comparing Assistant