

GAHC010234112024



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

Case No. : Hill.Appeal/1/2024

UNION OF INDIA AND 2 ORS.
REPRESENTED BY THE GENERAL MANAGER, N.F. RAILWAY, MALIGAON,
GUWAHATI 781011

2: THE CHIEF ENGINEER CON B.G.
N.F. RAILWAY
GUWAHATI.

3: THE DEPUTY CHIEF ENGINEER CON B.G.
N.F. RAILWAY
LUMDING
NAGAO

VERSUS

THE STATE OF ASSAM AND 15 ORS.
O BE REPRESENTED BY THE COMMISSIONER and SECY. TO THE GOVT.OF
ASSAM, DEPTT. OF WPT AND B.C. DISPUR, GUWAHATI-6

2:JOYDEB PHONGLO
G.B. OF MAHUR PHONGLO
VILL. MAHUR PHONGLO
P.O. DAUTUHAJA
P.S. MAIBANG
DIST. DIMA HASAO

3:MONOJ LANGTHASA

G.B. OF N. WADRENGDISA
VILL. N. WADRENGDISA
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4:AJEN URANG
G.B. OF SAMSERPUR
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5:JATON BATHARI
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14:BIPUL LANGTHASA

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15:HAICHUMBE ZEME

G.B. OF NRISAMBANGLOW
VILL. NRIAMBANGLOW
P.O. MAHUR
DIST. DIMA HASAO

16:AFFECTED PEOPLES CO-ORDINATION COMMITTEE
RENAMED AS AFFECTED PEOPLES REHABILITATION COMMITTEE
REGISTERED BODY REPRESENTED BY ITS PRESIDENT SHRI PROBON
LANGTHASA
CONVENT ROAD
HAFLONG
DIMA HASAO DIST

Advocate for the Petitioner : DR. B N GOGOI, MS. R BEGOM

Advocate for the Respondent : GA, ASSAM, FOR CAVEATOR, MS. J KALITA, MR. R DHAR, MR

D C K HAZARIKA

Linked Case : I.A.(Civil)/2275/2021

JOYDEB PHONGLO AND 13 ORS
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GUWAHATI 781011

3:THE DEPUTY CHIEF ENGINEER
(CON)
B.G. NORTH EAST FRONTIER RAILWAY
LUMDING

Advocate for : MR D C K HAZARIKA
Advocate for : MR G GOSWAMI appearing for THE UNION OF INDIA AND 2 ORS.

Linked Case : I.A.(Civil)/4269/2017

UNION OF INDIA and 2 ORS

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P.S. LANGTING
DIST. DIMA HASAO

Advocate for : MS.R BEGOM
Advocate for : MR.D C K HAZARIKA appearing for THE STATE OF ASSAM and 15
ORS

Linked Case : I.A.(Civil)/4089/2018

AFFECTED PEOPLES CO-ORDINATION COMMITTEE OF N.C. HILLS
REP. BY ITS PRESIDENT- SRI PROBON LANGTHASA
CONVENT ROAD
HAFLONG
DIMA HASAO DISTRICT
PIN- 788819

VERSUS

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N.F. RAILWAY
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N.F. RAILWAY
GUWAHATI

3:THE DEPUTY CHIEF ENGINEER (CON. B.G.)

N.F. RAILWAY
LUMDING
NAGAON

Advocate for : MR D C K HAZARIKA
Advocate for : MR A DASGUPTA appearing for THE UNION OF INDIA AND 2 ORS

Linked Case : CRP(IO)/112/2021

THE UNION OF INDIA AND 2 ORS.
REPRESENTED BY THE GENERAL MANAGER (CONSTRUCTION) NORTH
EAST FRONTIER RAILWAY MALIGAON
GUWAHATI 781011

2: THE CHIEF ENGINEER CON.
B.G. NORTH EAST FRONTIER RAILWAY MALIGAON
GUWAHATI 781011

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Advocate for : MR A DASGUPTA
Advocate for : MR R DHAR appearing for JOYDEEP PHONGLO AND 13 ORS.

Linked Case : I.A.(Civil)/3598/2022

JOYDEB PHONGLO AND 13 ORS.
G.B. OF MAHUR PHONGLO
VILL. MAHUR PHONGLO

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3: SRI DILIP BHOMIZE

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4: JATON BATHARI
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B.G. NORTH EAST FRONTIER RAILWAY
LUMDING

Advocate for : MR D C K HAZARIKA
Advocate for : SC
NF RLY appearing for UNION OF INDIA and 2 ORS

Linked Case : I.A.(Civil)/4027/2018

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N.F. RAILWAY LUMDING NAGAON

Advocate for : MR D C K HAZARIKA
Advocate for : SC
RAILWAY appearing for THE UNION OF INDIA AND 2 ORS.

**BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

ORDER

Date : 07.11.2024

(N. Unni Krishnan Nair, J.)

Heard the learned counsels appearing for the parties.

This Court, vide order, dated 12.05.2023, had directed the Registry to tag the records of Title Suit No. 06/2005 with the records of the present cases.

The records of Title Suit No. 06/2005 was called for by this Court in WP(c) 728/2014, which was disposed of vide order, dated 25.07.2017.

The matters on being listed on 22.01.2024, it was noticed that along with the records of the present cases, the LCRs of Misc. Case No. 25/2014 was tagged.

In view of the above, this Court vide order, dated 22.01.2024, had required the Registry to verify the matter.

The Registry, on verification, vide Office Note, dated 29.01.2024, has observed that it is only the LCRs of Misc. Case No. 25/2024(in Title Suit No. 06/2005), which has been tagged with the records of the present cases and not the LCRs of Title Suit No. 06/2005.

In view of the above position, Registry is hereby directed to examine the records of WP(c)728/2014, and in the event, if the LCRs of Title Suit No. 06/2005 is available with the records of the said writ petition, to de-tag the same therefrom and tag along with the records of the present cases.

However, in the event, the records have been sent back to the learned Court below; the Registry is directed to requisition the LCRs of Title Suit No. 06/2005 from the concerned Court and after receipt of the same, tag it along with the records of the present cases.

As prayed for by the learned counsels appearing for the parties, list all these matters again after 8(eight) weeks.

JUDGE

CHIEF JUSTICE

Comparing Assistant