

GAHC010234112024



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**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  
P.O. WADRENGDISA  
P.S. MAIBANG  
DIST. DIMA HASAO

4:AJEN URANG  
G.B. OF SAMSERPUR  
VILL. SAMSERPUR  
P.O. DAUTUHAJA  
P.S. MAHUR  
DIST. DIMA HASAO

5:JATON BATHARI  
G.B. OF JORAI BATHARI  
VILL. JORAI BATHARI  
P.O. MAHUR  
P.S. MAHUR  
DIST. DIMA HASAO

6:LALTHANGTHOI HRANGKHOL  
G.B. OF DIYUNG HRANGKHOL  
VILL. DIYUNG HRANGKHOL  
P.O. HAFLONG  
P.S. HAFLONG  
DIST. DIMA HASAO

7:MAHAKANTA DIBRAGEDE  
B.G. OF PHAIDING  
VILL. PHAIDING  
P.O. DAUTUHAJA  
P.S. MAHUR  
DIST. DIMA HASAO

8:SOIJANON LANGTHASA

G.B. OF N. SOBOJAI  
VILL. N.SOBOJAI  
P.O. DAUTUHAJA  
P.S. MAIBANG  
DIST. DIMA HASAO

9:PRODON KEMPRAI

G.B. OF SOBOJAN OLD  
VILL. SOBOJAI OLD  
P.O. DAUTUHAJA  
P.S. MAIBANG  
DIST. DIMA HASAO

10:SATYALAL THAOSEN  
G.B. OF N. DILAOTGHAI  
VILL.N. DILAOTHAI  
DIST. DIMA HASAO

11:ROTEN THAOSEN

G.B. OF DILIMPUR  
VILL. DILIMPUR  
P.O. MANDERDISA  
P.S. LANGTING  
DIST. DIMA HASAO

12:JONHAM JOHORI

G.B. OF DIDUKI-I  
VILL. DIDUKI-I  
P.O. DAUTUHAJA  
P.S. MAIBANG  
DIST. DIMA HASAO

13:NIRONJAN KEMPRAI

G.B. OF DIDUKI-II  
VILL. DIDUKI-II  
P.O. DAUTUHAJA  
P.S. MAIBANG  
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14:BIPUL LANGTHASA

G.B. OF N. SIMPLANGDISA  
VILL. N. SIMPLANGDISA  
P.O. MAIBANG  
P.S. MAIBANG  
DIST. DIMA HASAO.

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  
G.B. OF MAHUR PHONGLO  
VILL. MAHUR PHONGLO  
P.O. DAUTUHAJA  
P.S. MAIBANG  
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VILL. JORAI BATHARI  
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5: LALTHANGTHOI HRANGKHOL  
G.B. OF DIYUNG HRANGKHOL  
VILL. DIYUNG HRANGKHOL  
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P.S. HAFLONG  
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DIST. DIMA HASAO

9: SATYALAL THAOSEN

G.B. OF N. DILAOTGHAI  
VILL. N. DILAOTHAI  
DIST. DIMA HASAO.

10: ROTEN THAOSEN

G.B. OF DILIMPUR  
VILL. DILIMPUR  
P.O. MANDERDISA  
P.S. LANGTING  
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VILL. N SIMPLANGDISA  
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VILL. NRIAMBANGLOW  
P.O. MAHUR  
DIST. DIMA HASAO.  
VERSUS

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

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

REPRESENTED BY THE GENERAL MANAGER  
N.F. RAILWAY  
MALIGAON  
GUWAHATI 781011

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N.F. RAILWAY  
GUWAHATI.

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

LUMDING  
NAGAON  
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DEPTT. OF WPT AND B.C. DISPUR  
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VILL. DIDUKI-I  
P.O. DAUTUHAJA  
P.S. MAIBANG  
DIST. DIMA HASAO

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G.B. OF DIDUKI-II  
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VILL. N. SIMPLANGDISA  
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P.S. MAIBANG  
DIST. DIMA HASAO.

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

6: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.

7:JOYDEB PHONGLO

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

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G.B. OF N. WADRENGDISA  
VILL. N. WADRENGDISA  
P.O. WADRENGDISA  
P.S. MAIBANG  
DIST. DIMA HASAO

9:AJEN URANG  
G.B. OF SAMSERPUR  
VILL. SAMSERPUR  
P.O. DAUTUHAJA  
P.S. MAHUR  
DIST. DIMA HASAO

10:JATON BATHARI  
G.B. OF JORAI BATHARI  
VILL. JORAI BATHARI  
P.O. MAHUR  
P.S. MAHUR  
DIST. DIMA HASAO

11:LALTHANGTHOI HRANGKHOL  
G.B. OF DIYUNG HRANGKHOL  
VILL. DIYUNG HRANGKHOL  
P.O. HAFLONG  
P.S. HAFLONG  
DIST. DIMA HASAO

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B.G. OF PHAIDING  
VILL. PHAIDING  
P.O. DAUTUHAJA  
P.S. MAHUR  
DIST. DIMA HASAO

13:SOIJANON LANGTHASA

G.B. OF N. SOBOJAI  
VILL. N.SOBOJAI  
P.O. DAUTUHAJA  
P.S. MAIBANG

DIST. DIMA HASAO

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G.B. OF SOBOJAN OLD  
VILL. SOBOJAI OLD  
P.O. DAUTUHAJA  
P.S. MAIBANG  
DIST. DIMA HASAO

15:SATYALAL THAOSEN  
G.B. OF N. DILAOTGHAI  
VILL.N. DILAOTHAI  
DIST. DIMA HASAO

16:ROTEN THAOSEN

G.B. OF DILIMPUR  
VILL. DILIMPUR  
P.O. MANDERDISA  
P.S. LANGTING  
DIST. DIMA HASAO

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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

THE UNION OF INDIA AND 2 ORS  
REP. 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  
NAGAON

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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

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

JOYDEEP PHONGLO AND 13 ORS.  
G.B. OF MAHUR PHONGLO  
VILL. MAHUR PHONGLO  
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G.B. OF PHAIDING  
VILL. PHAIDING  
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7:SOIJANON LANGTHASA  
G.B. OF N. SOBOJAI  
VILL. N SOBOJAI  
P.O. DAUTUHAJA  
P.S. MAIBANG  
DIST. DIMA HASAO

8:PRODON KEMPRAI  
  
G.B. OF SOBOJAN OLD  
VILL. SOBOJAI OLD  
P.O. DAUTUHAJA  
P.S. MAIBANG  
DIST. DIMA HASAO

9:SATYALAL THAOSEN  
  
G.B. OF N. DILAOTGHAI  
VILL. N. DILAOTHAI  
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10:ROTEN THAOSEN

G.B. OF DILIMPUR  
VILL. DILIMPUR  
P.O. MANDERDISA  
P.S. LANGTING  
DIST. DIMA HASAO.

11:JONHAM JOHORI

G.B. OF DIDUKI-I  
VILL. DIDUKI-I  
P.O. DAUTUHAJA  
P.S. MAIBANG  
DIST. DIMA HASAO.

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G.B. OF DIDUKI-II  
VILL. DIDUKI-II  
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DIST. DIMA HASAO

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VILL. N SIMPLANGDISA  
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VILL. NRIAMBANGLOW  
P.O. MAHUR  
DIST. DIMA HASAO.

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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

P.O. DAUTUHAJA  
P.S. MAIBANG  
DIST. DIMA HASAO

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VILL. N. WADRENGDISA  
P.O. WADRENGDISA  
P.S. MAIBANG  
DIST. DIMA HASAO

3: SRI DILIP BHOMIZE

G.B. OF SAMSERPUR  
VILL. SAMSERPUR  
P.O. DAUTUHAJA  
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G.B. JORAI BATHARI  
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DIST. DIMA HASAO.

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G.B. OF DIYUNG HRANGKHOL  
VILL. DIYUNG HRANGKHOL  
P.O. HAFLONG  
P.S. HAFLONG  
DIST. DIMA HASAO

6: SHRI DIJON DIBRAGEDE  
G.B. OF PHAIDING  
VILL. PHAIDING  
P.O. DAUTUHAJA  
P.S. MAHUR  
DIST. DIMA HASAO.

7: PHAISARON NAIDING  
G.B. OF N. SOBOJAI  
VILL. N SOBOJAI  
P.O. DAUTUHAJA  
P.S. MAIBANG  
DIST. DIMA HASAO

8: LOBOSN KEMPRAI

G.B. OF SOBOJAN OLD  
VILL. SOBOJAI OLD  
P.O. DAUTUHAJA  
P.S. MAIBANG  
DIST. DIMA HASAO

9: SATYALAL THAOSEN

G.B. OF N. DILAOTGHAI  
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10: SRI AMON THAOSEN

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LUMDING

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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

JOYDEB PHONGLO AND 13 ORS.  
G.B. OF MAHUR PHONGLO  
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G.B. OF N. SIMPLANGDISA  
VILL. N. SIMPLANGDISA  
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3:THE DEPUTY CHIEF ENGINEER (CON. B.G.)

N.F. RAILWAY  
LUMDING  
NAGAON

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

**BEFORE**  
**HONOURABLE MR. JUSTICE MANISH CHOUDHURY**  
**HONOURABLE MRS. JUSTICE MARLI VANKUNG**

**ORDER**

**Date : 13.05.2025**  
**[M. Choudhury, J]**

Mr. A. Dasgupta, learned Senior Counsel assisted by Dr. B.N. Gogoi, learned counsel for the appellants and Mr. D.C.K. Hazarika, learned counsel for the respondents are present.

As sought for by the learned counsel for the parties, list the cases on 29.05.2025.

**JUDGE**

**JUDGE**

**Comparing Assistant**