



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

Case No. : WP(C)/6/2026

SHRI K THUCHU
R/OWAZIHO MAIN TOEN, MELURI, NAGALAND

VERSUS

STATE OF NAGALAND AND 7 ORS
REPRESENTED BY THE CHIEF SECRETARY OF GOVERNMENT OF NAGALAND,
NAGALAND KOHIMA 2:THE UNION OF INDIA
REPRESENTED BY THE SECRETARY
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS
(MoRTH)
1-BHAWAN
NEW DELHI-110001

3:THE MANAGING DIRECTOR
NATIONAL HIGHWAY AND INFRASTRUCTURE DEVELOPMENT CORPORATION
LIMITED (NHIDCL)
3RD FLOOR PTI BUILDING
4 PARLIAMENT STREET
NEW DELHI-110001

4:THE EXECUTIVE DIRECTOR
NATIONAL HIGHWAY AND INFRASTRUCTURE DEVELOPMENT CORPORATION
LIMITED (NHIDCL)
ADD. PWD REST HOUSE
PWD COLONY

5:THE COMMISSIONER AND SECRETARY
DEPARTMENT OF WORKS AND HOUSING
GOVT. OF NAGALAND
KOHIMA NAGALAND

6:THE CHIEF ENGINEER
PUBLIC WORKS DEPARTMENT (NH)

KOHIMA NAGALAND

7:THE DEPUTY COMMISSIONER
MELURI NAGALAND

8:ADDITIONAL DEPUTY COMMISSIONER
COMMISSIONER
MELURI
NAGALAND

Advocate for the Petitioner : PAKINRICHAPBO,

Advocate for the Respondent : GOVT ADV NL,

BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 23.01.2026

Heard Mr. Pakinrichapbo, learned counsel for the petitioner. Also heard Mr. N. Angami, learned Senior Government Advocate for the respondent Nos. 1, 5, 6, 7 and 8.

2. In this petition, under Article 226 of the Constitution of India, the petitioner, namely, Shri K. Thuchu has prayed for issuing direction to the respondent authorities to conduct spot verification and bring out assessment report of the damage caused to his residential building caused by the respondent authorities while carrying out construction of two lane road, High way, and also for quantification of the damages which the petitioner is entitled to.

3. Mr. Pakinrichapbo, learned counsel for the petitioner submits that the petitioner is the owner of a residential RCC/half pasha type building, along the highway, particularly, at Main Town Weziho, which he had built on his own expenses by developing his land. Mr.

Pakinrichapbo also submits that after commencement of the construction of the two lane Highway, by the respondent authorities, the cement plasters of his building began to fall out due to the heavy machinery, being used by the authorities in the construction of the two lane project. Mr. Pakinrichapbo further submits that the petitioner has filed one representation, a copy of which is annexed with the petition as Annexure-3, to the Deputy Commissioner, Meluri on 04.05.2025, for assessment of the damages caused to his residential building, but the same failed to evoke any response, and being aggrieved, the petitioner has approached this Court by filing the present petition.

3.1. Mr. Pakinrichapbo, learned counsel for the petitioner further submits that this writ petition may be disposed of by directing the respondent authorities to dispose of the representation dated 04.05.2025, filed by the petitioner, after carrying out the assessment of damage.

4. Mr. Angami, learned Senior Government Advocate for the respondent Nos. 1, 5, 6, 7 and 8 submits that since the prayer is limited, he has no objection in the event of directing the respondent authorities to dispose of the representation dated 04.05.2025, after conducting a verification in presence of the respondent No. 3, along with the site engineers of Mayasheel Construction JSP Project Pvt. Ltd., as the said company has been carrying out the construction work.

5. Having heard the submissions of learned counsel for both the parties, I have carefully gone through the petition and the documents placed on record, and also gone through Annexure-3,

i.e. the representation filed by the petitioner, dated 04.05.2025.

6. Taking note of the submissions of learned counsel for both the parties, and also considering the facts and circumstances on the record, this Court is inclined to dispose of this writ petition by directing the Deputy Commissioner, Meluri/respondent No. 7 to dispose of the representation dated 04.05.2025, filed by the petitioner, after carrying out necessary verification of the residential building of the petitioner, in presence of the respondent No. 3, along with the site engineers of Mayasheel Construction JSP Project Pvt. Ltd., and to assess the damage, if any, and thereafter, to make necessary arrangement for payment of compensation, in the event of any damage caused to the same.

7. The aforesaid exercise has to be carried out within a period of three months from the date of receipt of certified copy of this order. The petitioner shall obtain a certified copy of this order and place the same before the respondent authorities within a period of one week from today.

8. In terms of above, this writ petition stands disposed of at this motion stage itself.

Sd/-

JUDGE

Comparing Assistant