

GAHC020000552025



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

Case No. : MC(CRL)/2/2025

E N KITHAN
FOMERLY DIRECTOR
DEPT. OF LAND RECORD AND SURVEY
GOVT. OF NAGALAND AT DIMAPUR
(SERVED DURING 3RD JUNE 2014- 31ST DEC 2023)

VERSUS

STATE OF NAGALAND AND 2 ORS
THROUGH ITS SECRETARY
DEPT. OF LAND RECORD AND SURVEY
GOVT. OF NAGALAND
NAGALAND, KOHIMA 2:THE NAGALAND LOKAYUKTA
THROUGH ITS SECRETARY
BELOW NEW SECRETARIAT
NAGALAND
KOHIMA

3:INSPECTOR GENERAL OF POLICE AND DIRECTOR
HOD AND OFFICER INCHARGE
LOKAYUKTA POLICE STATION
NAGALAND
KOHIM

Advocate for the Petitioner : N Z LOTH, SHUBHI SRIVASTAVA, PRINCE KUMAR

Advocate for the Respondent : GOVT ADV NL,

Linked Case : I.A.(CrI.)/3/2025

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LOKAYUKTA POLICE STATION
NAGALAND
KOHIMA

Advocate for : N Z LOTHAN

Advocate for : GOVT ADV NL appearing for STATE OF NAGALAND AND 2 ORS

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Advocate for : GOVT ADV NL appearing for STATE OF NAGALAND AND 2 ORS

BEFORE
HON'BLE MR. JUSTICE RAJESH MAZUMDAR

ORDER

Date : 21-08-2025

Heard Mr. S. K. Srivastava, learned Senior counsel assisted by Mr. N. Z. Lotha, learned counsel for the petitioner and also heard Mr. Veto V. Zhimomi, learned Public Prosecutor for the respondent no. 1.

It is observed that the State respondents have prayed for time to obtain instructions and file their affidavit on several occasions, and in the order dated 25.07.2025, further 3 (three) weeks time was granted to file the affidavit-in-opposition. Today again, a prayer is made that the instructions are yet to be received officially and, therefore, some more time may be granted to file the affidavit-in-opposition.

The learned counsel for the petitioner has submitted

that they have obtained a copy of the letter dated 18.06.2014, of the Secretary, Government of Nagaland, by which the report of the CAG has been rejected by the Government of Nagaland, and he prays for some time to bring on record the said document by way of an additional affidavit.

Reluctantly, this Court grants a final opportunity to the State respondents to file their affidavit-in-opposition within a period of 2(two) weeks, with an advance copy to the learned counsel for the petitioner who may file their reply if any, within a week thereafter. The petitioner shall also be at liberty to file the additional affidavit bringing on record the letter which has been produced in the Court today.

List the matter again after 3 (three) weeks. It is made clear that non filing of the affidavit-in-opposition on the next date fixed may lead to adverse inferences.

Interim order passed earlier shall continue till the next returnable date.

Sd/-
JUDGE

Comparing Assistant