

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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NAGALAND
KOHIMA

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

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AND 2 ORS

BEFORE
HON'BLE MR. JUSTICE RAJESH MAZUMDAR

ORDER

Date : 07-10-2025

Heard Mr. N.Z Lotha, learned counsel for the petitioner and Mr. V. Zhimomi, learned Government Advocate appearing for the State respondents.

By the order dated 12.09.2025, this Court has observed that in view of the several adjournments already taken and final opportunity being granted on 21.08.2025, the affidavit-in-opposition had not been filed. By the same order dated 12.09.2025, it was made clear that if on the next date, the affidavit-in-opposition is not filed the concerned officer will be summoned to appear before the Court to explain the delay. The matter is therefore today listed.

The learned Government Advocate has produced the letter bearing No. A.VIG-17/2015/645, dated 27.03.2025, by which he submits that since Upa-Lokayukta, Nagaland had already disposed the matter, the M.C(Crl.) has become infructuous.

Be that as it may, it is observed that the affidavit-in-opposition in the matter has not been filed and the order of the Upa-Lokayukta, Nagaland is dated 20.03.2025, where after the matter was listed on several occasions.

Mr. V. Zhimomi, learned Government Advocate has prayed for a week time to file affidavit-in-opposition which liberty this Court is reluctant to accede. Mr. V. Zhimomi has thereafter assured that appropriate steps will be taken to file affidavit-in-opposition during the course of the day.

List this matter again on **24.10.2025**. In case, the affidavit-in-opposition is not filed during the course of today, the concerned officer shall remain present before the Court on 24.10.2025 to explain the reason as to why there was delay in filing the affidavit-in-opposition.

Sd/-

JUDGE

Comparing Assistant