

GAHC020007222023



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

**Case No. : WP(C)/321/2023**

MR. IMISENBA  
S/O IMSUMEREN  
R/O VILLAGE- MERANGKONG  
P.O. TULI  
DIST- MOKOKCHUNG-798618

VERSUS

THE UNION OF INDIA AND 9 ORS  
REPRESENTED BY THE SECRETARY TO THE GOVT. OF INBDIA,  
MINISTRY OF ROAD, TRANSPORT AND HIGHWAYS, NEW DELHI-  
110001

2:THE COMMISSIONER AND SECRETARY  
ROAD  
TRANSPORT AND HIGHWAYS DEPT.  
P.O AND P.S- KOHIMA  
NAGALAND

3:THE CHIEF ENGINEER  
PWD (NH)  
KOHIMA NAGALAND

4:THE EXECUTIVE ENGINEER  
PWD NATIONAL HIGHWAY  
DIVISION-II MOKOKCHUNG  
P.O- MOKOKCHUNG  
NAGALAND

5:THE EXECUTIVE ENGINEER  
PWD (R AND B)

FEEDER ROADS DIVISION  
TULI  
NAGALAND  
MOKOKCHUNG NAGALAND

6:THE DEPUTY COMMISSIONER  
MOKOKCHUNG NAGALAND

7:THE ADDITIONAL DEPUTY COMMISSIONER  
TULI  
MOKOKCHUNG NAGALAND

8:THE SUB-DIVISIONAL OFFICER  
O/O DEPUTY COMMISSIONER  
MOKOKCHUNG NAGALAND

9:THE AGRICULTURE OFFICER  
O/O SUB-DIVISIONAL AGRICULTURE OFFICER  
TULI NAGALAND

10:M/S KKB PRJECTS PVT. LTD  
A 408-409  
CITY CENTRE  
NR. RESHAM NHAVAN  
LAL DARWAJA SURAT  
GUJARAT-39500

**Advocate for the Petitioner** : K TSUKRU,

**Advocate for the Respondent** : CGSC,

Linked Case : WP(C)/236/2023

MR. IMISENBA  
S/O IMSUMEREN  
R/O MERANGKONG VILLAGE  
P.O. TULI  
PIN-798618  
MOKOKCHUNG NAGALAND

VERSUS

THE UNION OF INDIA AND 8 ORS  
REPRESENTED BY THE SECRETARY  
TO THE GOVT. OF INDIA  
MINISTRY OF ROAD  
TRANSPORT AND HIGHWAYS- NEW DELHI- 110001

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF  
NAGALAND  
ROAD TRANSPORT AND HIGHWAYS DEPARTMENT  
P.O. AND P.S. KOHIMA  
KOHIMA NAGALAND

3:THE CHIEF ENGINEER  
PWD (NATIONAL HIGHWAY)  
KOHIMA NAGALAND

4:THE EXECUTIVE ENGINEER  
PWD NATIONAL HIGHWAY DIVISION-II  
MOKOKCHUNG  
P.O. MOKOKCHUNG  
NAGALAND

5:THE EXECUTIVE ENGINEER  
PWD (R AND B)FEEDER ROADS DIVISION TULI NAGALAND  
MOKOKCHUNG NAGALAND-798618

6:THE DEPUTY COMMISSIONER  
MOKOKCHUNG NAGALAND

7:THE ADDITIONAL DEPUTY COMMISSIONER  
TULI NAGALAND

8:THE SUB DIVISIONAL OFFICER  
O/O THE DEPUTY COMMISSIONER  
MOKOKCHUNG NAGALAND

9:M/S KKB PROJECT PVT. LTD  
A 408-409  
CITY CENTRE  
NR. RESHAM BHAVAN  
LAL DARWAJA  
SURAT GUJARAT-395003

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Advocate for : K. TSUKRU  
Advocate for : CGSC appearing for THE UNION OF INDIA AND 8 ORS

**BEFORE  
HON'BLE MR. JUSTICE KAKHETO SEMA**

**ORDER**

**24.10.2024**

Ms. Apila Sangtam, learned counsel for the respondent No. 10 in WP(C)/321/2023 and respondent No. 9 in WP(C)/236/2023 submits that the affidavit on behalf of the said respondents has been filed only this morning. Ms. Apila, however, submits that in the affidavit filed on behalf of the said respondents there is some error in the affidavit which needs correction and therefore, submits that 2 (two) weeks' time may be granted for making corrections in the affidavit filed by respondent No. 10 in WP(C)/321/2023 and respondent No. 9 in WP(C)/236/2023.

List it again on **19.11.2024**.

By the Order dated 17.09.2024, this Court had granted 4 (four) weeks' time to the respondents to file their respective affidavits, failing which, it was ordered that this Court will consider imposing cost.

Today, when the matter is listed, there is no representation on behalf of the respondent No. 1, i.e. the Union of India, represented by the Secretary, Government of India, Ministry of Transport and Highways, New Delhi-11001, although respondent No. 1 is represented by Mr. Y.P. Gupta, learned CGSC. The learned CGSC is accordingly directed to file the affidavit as directed by this Court on 14.12.2023.

It is made clear that if there is no representation on behalf of the respondent No. 1 on the next date fixed, the non-prosecution of the case by the learned CGSC shall be brought to the knowledge/notice of the respondent No. 1 and the Court shall also consider imposing cost on the

learned CGSC.

The Registry shall bring the Order to the notice of Mr. Y.P. Gupta,  
learned CGSC.

**JUDGE**

**Comparing Assistant**