

GAHC030001122025



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

Case No. : WP(C)/20/2025

Sobita Devi Chakma and 19 Ors.
R/o Nagdorasora, CADDC, District- Lawngtlai, Mizoram-796770

VERSUS

Union of India and 3 Ors.
Ministry of Home Affairs through its Secretary, Govt. of India, Shastri Bhawan, New
Delhi-110001.

Advocate for the Petitioner : Mr. S. Vanlalhriata

Advocate for the Respondent : Addl. AG/GA, Mizoram for R2-4

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN
ORDER

03.03.2025

Heard Mr. S.R. Chakma, learned counsel for the petitioners; Ms. Zairemsangpuii, learned counsel for the respondent No. 1; and Ms. Lalnunhlui, learned counsel for the respondent Nos. 2, 3 & 4.

2. In this petition, under Article 226 of the Constitution of India, 19 numbers of petitioner have prayed for issuing direction to the respondent authorities for acquiring their lands as per law and to award compensation to the petitioners along with interest @ 15% per annum from the date of possession till

disbursement of the compensation.

3. Mr. Chakma, learned counsel for the petitioners submits that in the month of September, 2020, the respondent authorities have constructed a road for linking Nagdorasora village to Udalthana and Gulsingbapsora village, under Border Area Development Program (BADP) and said construction of road was taken place without the consent of them and respondent authorities forcefully taken their lands without following due process of law. Mr. Chakma further submits that the petitioners had approached the concerned Block Development Officer, Chawngte who told them that the road was constructed in public interest and the fund was sanctioned under BADP and no compensation could be paid. But, the petitioners right to livelihood was affected as their agricultural land vegetations had been destroyed. Mr. Chakma also submits that being left with no option earlier 5 petitioners had preferred one writ petition, being W.P.(C) No. 62/2021 and as per direction of this court, vide order dated 09.03.2023, the respondent authorities had released compensation to the said 5 petitioners and that the present petitioners came to know about the same subsequently and therefore, the present petition being filed for praying for the reliefs aforementioned.

4. Perused the petition as well as the documents placed on the record and also perused the judgment and order dated 09.03.2023, passed in W.P.(C) No. 62/2021.

5. Let notice be issued to the respondents, within a week from today, returnable in 4 weeks, by registered post with A/D and also by usual process. As the learned standing counsel on behalf of all the respective respondents are present, no formal notice is required to be issued.

6. However, extra requisite copy of the petition be furnished to them during the course of the day.

7. List the matter after 4 (four) weeks.

Comparing Assistant

JUDGE