

GAHC030001232019



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

Case No. : Cont.Cas(C)/7/2019

Vanlalsiama
Sakawrdai, aizawl

VERSUS

Lalnunmawia Chuaungo and Anr
Aizawl2:Lalrinliana Fanai Home Secretary
Govt. of Mizoram Aizawl
Aizawl

Advocate for the Petitioner : Mr P C Prusty

Advocate for the Respondent : Mr C Zoramchhana for R1

ORDER

Date : 27.09.2021

BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO

Heard Mr. Nei Chunga Darlong, learned counsel for the petitioner and Mr. C. Zoramchhana, learned Addl. Advocate General for respondent No. 1.

This contempt petition has been filed alleging willful and deliberate violation of the Order dated 04.09.2017 passed by this Court in WP(C) No. 80/2016. Operative portion of the order i.e. paragraph No. 7 is abstracted hereunder:-

“7. In view of the submissions made by the Govt. Advocate, this Court directs the State respondents to comply with Clause 5.1 and 5.3 of

the memorandum of settlement. The State respondents will act upon the above two clauses at the earliest and preferably within a period of one year from the date of receipt of a certified copy of this order.”

Pursuant to the filing of the contempt petition, the Government of Mizoram in the School Education Department vide Notification dated 29.10.2020 notified that Hmar language shall be used as a medium of instruction up to Primary School Level within Sinlung Hills Council area and all necessary action will be taken up by the Government in consultation of the Sinlung Hills Council. The petitioner’s Council however submits that the second part of the provision containing paragraph No. 5.1 of the Memorandum of Settlement i.e. recognition of Hmar language as one of the as one of the major language in the State of Mizoram has not been complied. As such, the respondents have failed to comply the direction of this Court vide Order dated 04.09.2017.

A perusal of the order sheet would go to show that a number of opportunities were granted the respondents on this issue on the prayer made by their learned counsel Mr. C. Zoramchhana. Mr. C. Zoramchhana, learned Addl. Advocate General today submits that since he is yet to receive instructions in the matter, he may be granted further 3 (three) weeks’ time.

Considering the above, the matter stands adjourned to **25th of October, 2021**. In the meantime, the respondent No. 1 shall file an additional affidavit clearly indicates the steps taken to implement the second part of the paragraph No. 5.1 of the Memorandum of Settlement signed on 27.07.1994 and in terms of this Court’s Order dated 04.09.2017 in WP(C) No. 80/2016.

JUDGE

Comparing Assistant