



GAHC030002002019



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

Case No. : WP(C)/37/2019

Sh. B. Lalzawmliana and 4 Ors
Bukpui-796075, Kolasib District, Mizoram 2: Thuamhluna
Bukpui-796075
Kolasib District
Mizoram

3: PC. Thanghuama
Bukpui-796075
Kolasib District
Mizoram

4: Lalliantluanga
Bukpui-796075
Kolasib District
Mizoram

5: Lalliantluanga
Legal Representative of Pasena (L)
Bukpui-796075
Kolasib District
Mizora

VERSUS

State of Mizoram and 4 Ors
R/b The Chief Secretary to the Government of Mizoram, Aizawl-796001 2:The
Secretary To the Government of Mizoram
Land Revenue and Settlement Department
Aizawl-796001

3:The Deputy Commissioner/ District Collector
Kolasib District-796081
Mizoram



4:The Secretary
The Government of Mizoram. Public Works Department
Aizawl-796001

5:The Engineer-in- Chief
Public Works Department
Government of Mizoram
Aizawl-79600

Advocate for the Petitioner : Ms Dinari T Azyu

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

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO
ORDER**

30.01.2026

The matter relates to up-gradation of Serkhan to Bagha road. After following the relevant provisions of the Land Acquisition Act, 1894, Draft Award no. 3/2014 (Part F-Bukpui) was prepared by the District Collector, Kolasib on 23.04.2015, wherein the names of the petitioners appear at Sl. Nos. 14 and 14 (a) in respect of petitioner No. 1 and Sl. Nos. 13, 61, 3 & 87 respectively in respect of the remaining petitioners. Although the award was approved by the Government, but a certain public interest group under the name and style of Coordination Committee, Serkhan to Bagha Road represented by its Chairman



filed WP(C) No. 167/2017 before this Court, alleging that there were a number of false claims made by the land owners and at the same time, the genuine land owners who were actually affected were not getting their due compensation. Therefore, the Committee that was formed approached this Court for suitable direction to check the irregularities.

The writ petition was disposed of vide Order dated 19.03.2018 by directing the respondents to take into consideration the faulty process, which inadvertently cropped up in the final compensation list and complete the process both for identification of the actual affected persons and the subsequent disbursement of the compensation to the affected persons within a period of 2 (two) months from the date of receipt of a copy of the order alongwith the writ petition with annexures.

Pursuant to the above direction, the respondent authorities carried out the re-verification and came up with a Revised Award dated 11.07.2018, by which the amount of compensation payable to the instant petitioners have been substantially reduced. Aggrieved, the instant writ petition has been filed.

Mrs. Dinari T. Azyu, learned counsel for the petitioners submits that all that was directed by this Court in WP(C) No. 167/2017 was to correct the faulty process, which inadvertently had cropped up and not to make the re-



assessment of the amount of compensation payable to the genuine land owners. She therefore submits that the amount that was assessed earlier should be disbursed to the petitioners, less the amount which has already been paid to them in the meantime under protest.

The State respondents have filed 3 (three) affidavit-in-opposition, i.e., affidavit-in-opposition dated 19.02.2020, 25.08.2021 & 16.12.2021. In the affidavit-in-opposition dated 16.12.2021, the State respondents have annexed the report on Serkhan to Bagha Road re-verification as Annexure-II at page No.

8. The report concludes as follows:-

“The Fact Finding Team/The Verification Team therefore carried out the re-verification process by following a systematic and fairly reasonable process and the report is considered to be neutral, impartial, practical and unbiased. It weeds out as much as 167 nos. of bogus claims and reducing the compensation amount by Rs. 6,82,03,305.00/- (Rupees Six Crore Eighty Two Lakh Three Thousand Three Hundred and Five) only and the proposed final amount for disbursement to the actual affected person is Rs. 5,68,34,327.00/- (Rupees Five Crore Sixty Eight Lakh Thirty Four Thousand Three Hundred and Twenty Seven) only.”

Apart from this, there is no material to show as to the manner in which



such verification and computation has been done. The same would be relevant, in view of the fact that the amount has been substantially reduced and that in respect of the petitioner No. 5, the amount that was given to him towards crop damage is no longer available in the re-assessment and instead, he has been given some amount towards compensation. Further, while some of the petitioners or persons have been given compensation towards land for having possessed Periodic Patta, but then again, some of the land owners including the petitioners having Periodic Patta have not been given any compensation towards land value.

The above being the position, Ms. Lalnunhlui, learned Government Advocate appearing for the State respondents shall produce the complete records pertaining to the Serkhan to Bagha Road re-verification corresponding to the report dated 18.05.2018. In other words, the records pertaining to the process undertaken by the respondent authorities pursuant to disposal of WP(C) No. 167/2017 vide Order dated 19.03.2018 is to be produced.

The said records should be made available by the next Court date.

List the matter again on **19.02.2026**.

A copy of this order be furnished to Ms. Lalnunhlui, learned Government



Advocate for doing the needful.

JUDGE

Comparing Assistant