



GAHC030002162025



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

Case No. : RSA/3/2025

Sh. C. Lalnunpuia
S/o Vanlalhlana, R/o Govt. Complex, Aizawl

VERSUS

The State of Mizoram and 5 Ors
Represented by the Chief Secretary, Govt. of Mizoram, Aizawl, Mizoram 2:The
Secretary to the Government of Mizoram
Revenue Department

3:The Director
Land Revenue and Settlement Department
Mizoram
Aizawl

4:The Settlement Officer
Land Revenue and Settlement Department
Aizawl District
Mizoram
Aizawl

5:Sh. Samuel Lalrohlua
S/o Lalkamlova (L)
R/o Zonuam
Aizawl
Mizoram
Opposite to UPC General Hqrs. Building

6:Smt. Rinmawii
D/o Robula (L)
R/o Chanmari
Aizawl

Advocate for the Petitioner : Mr. L.H. Lianhrima, Sr.Adv.



Advocate for the Respondent : Addl. AG/GA, Mizoram for R1-R4

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

08.09.2026

Mr. L.H. Lianhrima, learned Senior counsel assisted by Ms. Ruth Lalruatfeli for the appellant.

The learned Senior counsel for the appellant submits that the learned Trial Court by passing the Order dated 07.03.2022 in Civil Suit No. 77/2018 has travelled beyond its jurisdiction by directing the location transfer of the land of the plaintiff to another location. He submits that from a perusal of the provisions of the Mizoram (Land Revenue) Act, 2013 (Act of 2013), more particularly Section 16(2) of the said Act, the power of allotment of land lies with the Director or the Settlement Officer or the Assistant Settlement Officer subject to recommendation of the Site Allotment Advisory Board as may be constituted and with the prior approval of the State Government. He also submits that there is no provision for location transfer in the Act of 2013.

Although the Order dated 07.03.2022 was assailed in RFA No. 7/2022 by the appellant, but the First Appellate Court declined to entertain the claim of the appellant and instead observed that the appellant may file a fresh suit before the Civil Court concerned for declaration of his rights, title etc. if so advised.

Considering the above, this Court vide Order dated 23.07.2026 had



formulated two substantial questions of law. However, it is seen that the TCR has not been requisitioned and considering the substantial questions of law formulated, a perusal of the Trial Court Record and the First Appellate Court Record will be necessary.

In view of above, Registry shall requisition the records of Civil Suit No. 77/2018 from the Court of Senior Civil Judge-IV, Aizawl and the records of RFA No. 7/2022 from the Court of District Judge, Aizawl by sending a special messenger.

List the matter again on **10.09.2026.**

JUDGE

Comparing Assistant