

GAHC030002182025



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

Case No. : WP(C)/41/2025

Sh. Jugal Chakma and 10 Ors.

S/o Hara Prasad

R/o Kamalanagar-II, Lawngtlai District, Mizoram. 2: Sh. Janak Chakma

S/o Purna Chandra Chakma

R/o Udalthana-I

Lawngtlai District

Mizoram.

3: Sh. Somiran Chakma @ Sobiron Chakma

S/o Surjyo Kanta Chakma

R/o Udalthana-II

Lawngtlai District

Mizoram.

4: Sh. Purna Muni Chakma

S/o Dhana Kumar Chakma

R/o Kamalanagar-II

Lawngtlai District

Mizoram.

5: Smt. Dogoni Chakma @ Dumini Chakma

W/o Dhamya Chakma

R/o Udalthana-II

Lawngtlai District

Mizoram.

6: Sh. Dhana Chakma

S/o Madhan Mohan

R/o Udalthana-II

Lawngtlai District

Mizoram.

7: Sh. Tapan Chakma

S/o Biju Ram Chakma

R/o Udalthana-II
Lawngtlai District
Mizoram.

8: Sh. Doya Moy Chakma
S/o Madan Mohan Chakma
R/o Kamalanagar-II
Lawngtlai District
Mizoram.

9: Sh. Purna Chandra Chakma
S/o Nua Ram Chakma
R/o Udalthana-I
Lawngtlai District
Mizoram.

10: Sh. Sumati Ranjan Chakma
S/o Nilo Mohan
R/o Udalthana-I
Lawngtlai District
Mizoram

11: Sh. Hara Prasad Chakma
S/o Krishna Mohan Chakma
R/o Kamalanagar-II
Lawngtlai District
Mizoram

VERSUS

The Union of India r/b the Secy. to the Govt. of India, Ministry of Home Affairs and 6
Ors.

Dept. of Border Management, New Delhi. 2: The State of Mizoram r/b the Chief
Secy. to the Govt. of Mizoram
Aizawl
Mizoram.

3: The Secretary
Rural Development Dept.
Govt. of Mizoram
Aizawl
Mizoram.

4: The Deputy Commissioner-Cum-District Collector
Lawngtlai
Mizoram.

5: The Block Development Officer

Chawngte
Lawngtlai District
Mizoram.

6:The Chakma Autonomous District Council r/b the Executive Secretary
Kamalanagar
Lawngtlai District
Mizoram.

7:The Senior Revenue Officer
Land Revenue and Settlement Dept.
CADC
Kamalanagar
Mizoram

Advocate for the Petitioner : Mr C Lalfakzuala

Advocate for the Respondent : Ms Zairemsangpuui, CGC for R1

**ORDER
B E F O R E
HON'BLE MR. JUSTICE NELSON SAILO**

22.04.2025

Heard Ms. H. Lalrosangi, learned counsel for the petitioners who submits that the petitioners are rightful owners of their respective land located at Udalthana-I and Udalthana-II and Kamalanagar-II issued by the Land Revenue & Settlement Department, Chakma Autonomous District, Mizoram. The respondent authorities concerned had undertaken the construction of road linking Nagdorasora village to Udalthana under the Border Area Development Program in the year 2020. The construction of the said road has affected the land of the petitioners but the respondent authorities have not paid them any

compensation. The petitioners were under the impression that since construction was done for the benefit of the community, no compensation was payable. However, they came to learn that similarly situated persons had approach this Court by filing WP(C) No. 62 of 2021 which was disposed of vide Order dated 09.03.2023 by directing the respondent authorities to acquire the land of the petitioners therein under the acquisition law applicable. The petitioners have further come to learn from the queries sought by them through RTI that the said petitioners have been duly compensated in terms of the direction of this Court.

The petitioners therefore contend that since they are similar situated and are indeed affected by the road construction, a similar direction should be issued to the respondent authorities for acquiring their respective land. The details of the land holding of each of the petitioners has been given by the petitioners in Paragraph No. 3 of the Writ Petition wherein it can be seen that some of them have been issued temporary pass while some have been issued Land Settlement Certificate.

In view of above, issue notice of motion returnable by four (4) weeks. Ms. Zairemsangpuii, learned CGC accepts notice on behalf of respondent No. 1 and Mr. Samuel Vanlalhriata Chhangte, learned Addl. Advocate General accepts

notice on behalf of respondent Nos. 2-5. Petitioners to serve requisite extra copies of the Writ Petition to the learned counsels appearing today, if not already done.

The petitioners shall also take steps for service of notice upon respondent Nos. 6 & 7 by registered post with A/D due within three (3) days.

List the matter again after four (4) weeks.

JUDGE

Comparing Assistant