



GAHC030004222019



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

Case No. : Cont.Cas(C)/16/2019

S Makhu and 22 Ors.

S/o S.Helei, R/o Zawngling, Saiha District, 2: C Beibiahneisa
Zawngling
Saiha District

3: L C Luabei
Zawngling
Saiha District

4: J Pathaisa
Zawngling
Saiha Distric

VERSUS

Lalnunmawia Chuaungo and 10 Ors.

Chief Secretary to Govt of Mizoram, Aizawl
Chief Secretary to Govt of Mizoram
Aizawl

2:Bhupesh Chaudhury

3:Brig. Birender Singh
Chief Engineer
Project Pushpak
C/o 99 APO

4:MN Ansari
Executive Engineer
Officer Commanding 71 RCC
BRTF
C/o 99 APO

5:P Sama
Executive Engineer
MADC



Siaha

6:N Pachhunga
Senior Revenue Officer
Land Revenue and Settlement Department
MADC
Siaha District

7:Sh.MANV Prasad
Chief Engineer
Project Pushpak

8:Sh H.Lalsangliana
Deputy Commissioner
Siaha District
Siaha

9:Sh.S.P.Kolihey
Chief Engineer
Project Pushpak

10:Sh.Lalhmunsa Hnamte
Deputy Commissioner
Siaha District
Siaha

11:Sh V.L.Hruaizela Khiangte
Deputy Commissioner
Siaha District
Siaha
Mizora

Advocate for the Petitioner : Mr. Lalfakawma

Advocate for the Respondent : Ms. Mary Lalruatkimi Khiangte

Linked Case : Cont.Cas(C)/22/2021

C. Hetha and 16 Ors.
S/o C. Pathaw
R/o Tipa V

2: K. Rahmo



R/o Tipa

3: NK Hlychho
Tipa V

4: VT Beirahia
Zyhno/ Zawngling

5: Lalnunthangi
Siaha
VERSUS

Subhash Sharma
Secretary
Border Roads Development Board (BRDB) and 9 Ors.
Sena Bhavan B Wing

2:PN Yadav
The Chief Engineer
Border Road Task Force (BRTF)
Project Pushpak GREF
C/o 99 APO
Project Pushpak GREF
C/o 99 APO

3:R. Zarzosanga
Secretary to the Govt of Mizoram
Land Revenue and Settlement Department
Aizawl

4:Kesavan R.
The Deputy Commissioner
Siaha District
Siaha

5:Pheiki Solo
Senior Revenue Officer
Mara Autonomous District Council
Siaha

6:Sh Lalsangliana
Deputy Commissioner
Siaha District

7:Sh SP Kolihey
Chief Engineer
BRTF
Project Pushpak



REF

8:Sh Lalhmunsanga Hnamte
Deputy Commissioner
Siaha District
Siaha

9:Smt Mazee Khaila
Senior Revenue Officer
Mara Autonomous District Council
Siaha District
Mizoram

10:Sh VL Hruaizela Kiangte
Deputy Commissioner
Siaha District
Mizoram

Advocate for the Petitioner : Ms Dinari T Azyu
Advocate for the Respondent : Ms Zairemsangpuii

Linked Case : Cont.Cas(C)/31/2019

Abednago and 16 Ors.
Tuipang
Mizoram

2: F Lalhmunsanga
Tuipang
Mizoram

3: TT Vasti
Tuipang
Mizoram

4: Hezi
Tuipang
Mizoram

5: Lawche
Tuipang
Mizoram
VERSUS

Subhash Sharma and 13 Ors.
Sena Bhawan B Wing



New Delhi

2:Manv Prasad
The Chief Engineer
BRTF
Project Pushpak GREF
c/o 99 APO

3:R Lalramnghaka
Secretary to the Government of Mizora
Land Revenue and Settlement Department
Aizawl

4:Bhupesh Chaudhury
The Deputy Commissioner
Siaha District
Siaha-796901

5:N Pachhunga
Senior Revenue Officer
Mara Autonomous District Council
Siaha-796901

6:Sh P.N. Yadav
Chief Engineer
BRTF
Project Pushpak GREF

7:Sh R Zarzosanga
Secretary
Land Revenue and Settlement
Govt. of Mizoram

8:Sh Kesavan R
Deputy Commissioner
SiahaDistrict

9:Sh lalsangliana
Deputy Commissioner
Siaha District

10:Sh Pheiki Solo
Sr. Revenue Officer
MADC
Siaha

11:Sh S.P. Kolipty
Chief Engineer



BRTF
Project Pushpak GREF

12:Sh Lalhmunsanga hnamte
Deputy Commissioner
Siaha District

13:Smt Nazee Khaila
Senior Revenue Officer
Mara Autonomous Districct Council
Siaha District
Miaoram

14:Sh V.L.Hruaizela Khiangte
Deputy Commissioner
Siaha District
Mizoram

Advocate for the Petitioner : Mrs Dinari T Azyu
Advocate for the Respondent : Ms. Mary Lalruatkimi Khiangte (Addl.AG/G.A.
Mizoram) for R4
R7

Linked Case : Cont.Cas(C)/23/2021

C. Viatha and 37 Ors.
Tipa V
Siaha District
Mizoram

2: Atu Chozah
Tipa D
Siaha District
Mizoram

3: Beihu Nohro
Tipa D
Siaha District
Mizoram

4: S. Rahl
Tipa V
Siaha District
Mizoram



5: C Vepaw
Zyhno
Siaha District
Mizoram

6: S. Ngodei
Tipa V
Siaha District
Mizoram
VERSUS

Subhash Sharma
Secretary
Border Roads Development Board (BRDB) and 9 Ors.
SenaBhavan B Wing
New Delhi

2:Sh. P. N. Yadav
The Chief Engineer
Border Road Task Force (BRTF)
Project Pushpak
Project Pushpak GREF
C/o 99 APO

3:Sh. R. Zarzosanga
Secretary to the Govt. of Mizoram
Land Revenue and Settlement Department
Aizawl

4:Sh. Kesavan R
Deputy Commissioner
Siaha District
Siaha

5:Sh. Pheki Solo
Senior Revenue Officer
Mara Autonomous District Council
Siaha

6:Sh. Lalsangliana
Deputy Commissioner
Siaha District
Siaha

7:Sh S.P.Kolipey
SE (Civ)
The Chief Engineer
Border Road Task Force (BRTF)



Project Pushpak GREF
C/o 99 APO

8:Sh Lalhmunsanga
Deputy Commissioner
Siaha Dist.
Siaha Mizoram

Advocate for the Petitioner : Ms Dinari T Azyu
Advocate for the Respondent : Mr. P C Lalthangmawia for R9

Linked Case : Cont.Cas(C)/24/2019

VT Zecharia and 73 Ors
Zawngling
Tuipang
Mizoram

2: V Hrachhia
Siatlai
Tuipang

3: S Pawla
Tuipang
Mizoram

4: Lalhruaia
Tuipang
Mizoram

5: B Chale
Zawngling
Mizoram
VERSUS

Subhash Sharma and 13 Ors
Sena Bhavan B wing
New Delhi

2:Brig Birender Singh
Chief Engineer
BRTF
C/o 99APO

3:R Lalramnghaka
Secretary



Land Revenue and Settlement
Mizoram

4:Bhupesh Chaudary
Deputy Commissioner
Siaha District
Mizoram

5:N Pachhunga
Senior Revenue Officer
Mara Autonomous District Council
Siaha

6:MANV Prasad
Chief Engineer
Border Road Task Force (BRTF)
Project Pushpak GREF
C/o 99 APO

7:Sh R.Zarzosanga
Secretary to the Govt. of Mizoram
Land revenue and Settlement Dept.
Aizawl

8:Sh Kesalan R
Deputy Commissioner
Siaha Dist.
Siaha

9:Sh P.N.Yadav
Chief Engineer
BRTF
Project Pushpak GREF
C/o 99 APO

10:Sh Lalsangliana
Deputy Commissioner
Siaha Dist.
Siaha

11:Sh Pheiki Solo
Senior Revenue Officer
Mara Autonomous District Council
Siaha Dist.
Mizoram

12:Sh S.P.Kolipey
S.E. (Civil)



Chief Engineer
Border road Task Force (BRTF)
Project Pushpak
GREF
C/o 99 APO

13:Sh Lalhmunsanga Hnamte
Deputy Commissioner
Siaha Dist.
Siaha

14:Smt. Nazee Khaila
Sr.Revenue Officer
MADC
Siaha District.

15:Sh V.L.Hruaizela
Deputy Commissioner
Siaha District
Mizoram

Advocate for the Petitioner : Ms Dinari T Azyu
Advocate for the Respondent : Ms Zairemsangpuii

Linked Case : Cont.Cas(C)/21/2019

Sh. L Sachai and 29 Ors
Zawngling
Tuipang
Mizoram

2: LC Valaw
Zawngling
Tuipang
Mizoram

3: B Beizi
Zawngling
Tuipang
Mizoram

4: Mala
Zawngling
Tuipang
Mizoram



5: LC Khaikhei
Zawngling
Tuipang
Mizoram
VERSUS

Sh. Subhash Sharma and 14 Ors
Sena Bhavan B-wing
New Delhi

2:Brig Birender Singh
Chief Engineer
BRTF
C/o 99APO

3:R Lalramnghaka
Secretary
Land Revenue and Settlement
Mizoram

4:Bhupesh Chaudary
Deputy Commissioner
Siaha District
Mizoram

5:N Pachhunga
Senior Revenue Officer
Mara Autonomous District Council
Siaha

6:Sh Manv Prasad
Chief Engineer
Border Road Task Force (BRTF)
Project Pushpak
GREF C/o 99 APO

7:Sh R.Zarzosanga
Secretary to the Govt. of Mizoram
Land Revenue and Settlement Dept.
Aizawl

8:Sh Kesavan R
Deputy Commissioner
Siaha Dist.
Mizoram

9:Sh P.N.Yadav
Chief Engineer



Border Road Task Force (BRTF)
Project Pushpak
GREF
C/o 99 APO

10:Sh Lalsangliana
Deputy Commissioner
Siaha District. Mizoram

11:Sh Pheiki Solo
Senior Revenue Officer
MADC
Siaha Dist.
Mizoram

12:Sh S.P.Kolipecy
Chief Engineer
Border Road Task Force (BRTF)
Project Pushpak GREF
C/o 99 APO

13:Sh Lalhmunsanga Hnamte
Deputy Commissioner
Siaha Dist.
Mizoram

14:Smt Nazee Khaila
Senior Revenue Officer
Mara Autonomous District Council
Siaha District
Mizoram

Advocate for the Petitioner : Ms Dinari T Azyu
Advocate for the Respondent : Mr. P C Lalthangmawia for R14



**BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI
ORDER**

04.12.2025

Heard Mr. T Lalzekima, and Ms. Dinari T Azyu, learned counsels for the petitioners. Also heard Ms. Mary Lalruatkimi Khiangte, learned counsel for the respondent/contemnor Nos. 1 & 2 as well as Ms. Zairemsangpuui, learned counsel for the respondent/contemnor Nos. 3, 7 & 9.

Pursuant to the directions passed by this Court on 13.11.2025, Mr. Rajeev Dua, CE, CE(P), Pushpak and Mr. Sudhakar Sharma, AE, CE(P), Pushpak are personally present before the Court today.

Mr. Rajeev Dua, by referring to the communication dated 04.12.2025 submits that his office is not in a position to make payment of the Award No. 12/2024 as the clarification regarding the exact amount to be paid as compensation is still awaited from the Office of the Deputy Commissioner, District-Siaha. He further submits that once the aforesaid clarification is received from the Office of the DC, Siaha, the payment process will be initiated without any further delay. He further undertakes that within the time frame of 90 days, the department will obtain the approval of the HQ Directorate General Border Roads for compliance of the order of the Court, upon receiving the necessary clarification on the compensation amount from the Office of the DC, Siaha.

Ms. Mary Lalruatkimi Khiangte, learned counsel appearing for the DC, Siaha (respondent/contemnor No. 12), submits that on 27.03.2025 the Office of the DC, Siaha had already given the clarification as regards the payment to be made to the petitioners. She further submits that time and again the Officers of the Border Roads are seeking clarification and as and when the clarifications are being sought for, the Office of the respondent/contemnor No. 12 have duly complied with the same.

Mr. Rajeev Dua further submits that on 06.11.2025, the Office of the General



Reserve Engineer Force (BRO) has written a letter to the Office of the DC, Siaha, requesting to provide boundary map for urban areas of Siaha district to verify multiplication factor applied in Award No. 12/2024.

Let a detailed affidavit placing the aforesaid documents and the timeframe within which Mr. Rajeev Dua has undertaken to comply with the direction of the Court upon receipt of the clarification from the Office of the DC, Siaha, be filed within a week from today.

Ms. Mary Lalruatkimi Khiangte, shall also obtain instruction from the respondent/contemnor Nos. 1 & 2 in this regard.

It is observed that despite the order dated 28.05.2019 passed in WP(C) No. 129/2018, the Award No. 12/2024 has not yet been complied with. It also appears that this Court on 13.11.2025 has already taken a prima facie view that the respondent/contemnors are trying to circumvent the order dated 28.05.2019 passed by this Court.

Be that as it may, before proceeding further in these matters, let a detailed affidavit by the respondents/contemnors be filed on record.

Relist on **27.01.2026**, by which date, the up-to-date instructions as regards compliance of the order dated 28.05.2019 be placed on record.

It may be clarified that there being positive directions from this Court for making compensation to the petitioners in terms of the Award No. 12/2024 against which no appeal has been filed till date, the same ought to have been complied with by the respondents/contemnors till date. However, keeping in mind the procedural clarification sought for in the matter, the Court is not making any comments at this Stage. However, in the event, this Court finds that the respondents/contemnors are deliberately adopting a delay tactic to circumvent the order of this Court, this Court shall take necessary stringent action as required under the law for protecting the majesty of this Court.

List accordingly.



Personal appearance of Mr. Rajeev Dua, CE, CE(P), Pushpak and Mr. Sudhakar Sharma, AE, CE(P), Pushpak is dispensed with, until further order. However, at any subsequent stage, if required, necessary orders shall be issued.

JUDGE

Comparing Assistant