

GAHC030004932025



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

Case No. : WP(C)/92/2025

Sh. Dino Bondu Chakma and 23 Ors.

S/o Dhanya Muni Chakma

R/o Udalthana - I,

Lawngtlai District, Aizawl 2: Sh. Gambir Chakma

S/o Druba Chakma

R/o Udalthana - I

Lawngtlai District

Mizoram

3: Sh. Chapala Kanti

S/o Aleya Chakma

R/o Kamalanagar - II

Lawngtlai District

Mizoram

4: Sh. Nehar Kanti Chakma

S/o Nirod Kumar Chakma (L)

R/o Udalthana - I

Lawngtlai District

Mizoram

5: Sh. Prodip Chakma

S/o Chandra Charjyo Chakma

R/o Udalthana - I

Lawngtlai District

Mizoram

6: Smt. Kalpana Chakma

D/o Binoy Biswa Chakma

R/o Longpuighat

Lawngtlai District

Mizoram

7: Sh. Jalanta Kumar Chakma
S/o Bindu Ram Chakma (L)
R/o Udalthana - II
Lawngtlai District
Mizoram

8: Sh. Binay Dip Chakma
S/o Sudir Kumar Chakma
R/o Udalthana - I
Lawngtlai District
Mizoram

9: Sh. Sujana Chakma
S/o Ananda Chakma (L)
R/o Udalthana - I

Lawngtlai District
Mizoram

10: Sh. Krishna Baran Chakma
S/o Moyur Dhawj Chakma
R/o Kamalanagar - II
Lawngtlai District
Mizoram

11: Smt. Dharma Mala Chakma
D/o Biro Kumar Chakma
R/o Udalthana - I

Lawngtlai District
Mizoram

12: Sh. Rattan Joy Chakma
Sadhan Kumar Chakma
R/o Udalthana - I

Lawngtlai District
Mizoram

13: Sh. Rem Son Chakma
S/o Shanti Kumar Chakma
R/o Kamalanagar - IV
Lawngtlai District
Mizoram

14: Sh. Sadhan Kumar Chakma
S/o Dhananjay Chakma
R/o Udalthana - II

Lawngtlai District
Mizoram

15: Sh. Punyo Kumar Chakma
S/o Uργο Muni Chakma (L)
R/o Udalthana - I

Lawngtlai District
Mizoram

16: Sh. Mithun Chakma
S/o Prabath Kumar Chakma (L)
R/o Udalthana - I

Lawngtlai District
Mizoram

17: Sh. Prabhat Kumar Chakma
S/o Kala Soga Chakma (L)

R/o Udalthana - I

Lawngtlai District
Mizoram

18: Sh. Joy Muni Chakma
S/o Takkula Chakma

R/o Udalthana - I

Lawngtlai District
Mizoram

19: Smt. Niro Devi Chakma
D/o Tara Chand Chakma

R/o Kamalanagar - II

Lawngtlai District
Mizoram

20: Sh. Bimola Ranjan Chakma
S/o Sigona Chakma

R/o Udalthana - II

Lawngtlai District

Mizoram

21: Smt. Nagori Mala Chakma
D/o Ajay Kumar Chakma

R/o Udalthana - I

Lawngtlai District
Mizoram

22: Sh. Shyamal Kanti Chakma
S/o Nirod Kumar Chakma (L)

R/o Udalthana - I

Lawngtlai District
Mizoram

23: Sh. Lokhi Bikash Chakma
S/o Amullyo Dhan Chakma
R/o Nalbanya

Lawngtlai District
Mizoram

24: Sh. Doy Moy Daveng Chakma
S/o Bhadra Sen Chakma
R/o Kamalanagar - IV

Lawngtlai District
Mizora

VERSUS

The Union of India and 6 Ors.

R/b the Secretary to the Govt. of India, Ministry of Home Affairs, Department of
Border Management, Shastri Bhawan, New Delhi 2: The State of Mizoram R/b the
Chief Secretary to the Govt. of Mizoram
Aizawl
Mizoram

3: The Secretary to the Govt. of Mizoram
Rural Development Department
Mizoram
Aizawl

4: The Deputy Commissioner/District Collector
Lawngtlai District

Lawngtlai
Mizoram

5:The Block Development Officer
Chawngte
Lawngtlai District
Mizoram

6:The Chakma Autonomous District
Council R/b its Executive Secretary
Kamalanagar
Lawngtlai District
Mizoram

7:The Senior Revenue Officer
Land Revenue and Settlement Department
Chakma Autonomous District Council
Kamalanagar
Mizora

Advocate for the Petitioner : Mr B Lalramenga

Advocate for the Respondent : Ms Zairemsangpuii, CGC for R 1

B E F O R E
HON'BLE MRS. JUSTICE MARLI VANKUNG
ORDER

12.08.2025

Heard Mr. B.Lalramenga, learned counsel for the petitioners, who has filed the instant petition of the Article 226 of the Constitution of India for the issuance of appropriate writ to the respondents.

The case of the petitioners is that they are the residents of Udalthana, Nalbanya and Kamalanagar villages, Lawngtlai District, Mizoram and there are

the rightful owners of the respective lands. The respondents, while under taking the construction of the road linking Nagdorasora village to Udalthana and Gulsingbapsora village, Lawngtlai District, under the Border Area Development Program (BADP) towards the end of the year 2020 had passed through and destroyed the petitioners' lands. The petitioners, however, were not paid any compensation on the acquisition of their lands by the respondent which is a clear violation of Article 300-A and also Article 21 of the Constitution of India.

The learned counsel for the petitioners further submits that a coordinate bench of this court vide its Order dated 09.03.2023 passed in WP(C) No. 62 of 2021 had passed an order to 5(five) petitioners, who are similarly situated with the instant writ petitioners by directing that the respondents should conduct a spot verification and see whether the lands of the petitioners were encroached.

Accordingly, on filing that the lands of the petitioners were encroached, the petitioners in the said writ petition No. 62 of 2021 were paid compensation due to them.

The learned counsel prayed that a similar order may be passed in the instant case.

Issue notice to the respondents.

Mr. Samuel Vanlalhriata Chhangte, learned Addl. Advocate General, accepts notice on behalf of the State respondent Nos. 2 to 5 and Ms. Zairemsangpuii, learned CGC accepts notice on behalf of respondents No. 1. No need to issue formal notice. Requisite copies of the writ petition to be duly furnished to the learned counsels for the respondents.

In the meantime, the learned counsels for the respondents will get instruction whether the instant writ petition is covered by the said writ petition No. 62/2021 and whether it would be appropriate to pass a similar order as passed by the Coordinate bench of this court.

List the matter **after 2 (two) weeks.**

Meanwhile, the learned counsel for the petitioners to take steps for service of notice upon the respondent Nos. 6 to 7 through registered post with A/D within 3 working days, returnable by 2 (two) weeks.

JUDGE

Comparing Assistant