

GAHC030005642024



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

Case No. : PIL/5/2024

Smt. Vanramchhuangi
R/o Chaltlang Dawrkawn,
Aizawl, Mizoram.

VERSUS

The Chief Secretary, Govt. of Mizoram and 13 Ors.
Aizawl, Mizoram

2:The Secretary
Finance Dept.
Govt. of Mizoram
Aizawl
Mizoram.

3:The Secretary
Planning Dept.
Govt. of Mizoram
Aizawl
Mizoram

4:The Secretary
Public Works Dept.
Govt. of Mizoram
Aizawl
Mizoram.

5:The Engineer in Chief
Public Works Dept.
Govt. of Mizoram
Aizawl
Mizoram.

6:The Principal Secretary

Environment
Forests and Climate Change Dept.
Govt. of Mizoram
Aizawl
Mizoram.

7:The Divisional Forest Officer
Aizawl Forest Division
Govt. of Mizoram
Aizawl
Mizoram.

8:National Bank of Agriculture and Rural Development r/b the Chairman
NABARD
India
Office at- Plot C-24
G Block
Bandra Kula complex
BKC Road
Bandra East
Bombay
Maharashtra.

9:Chief General Manager
National Bank of Agriculture and Rural Development
NABARD Regional Office
Mizoram
MINECO.

10:Sh. F. Lalliansanga
R/o Aizawl Venglai
Aizawl
Mizoram

11:Sh. P.C. Lalawmpuia
S/o Sh. Biakliana
R/o Mission Veng
Aizawl
Mizoram

12:Sh. Vanlalsanga
R/o Mission Veng
Aizawl
Mizoram.

13:Sh. Zoramchhana
R/o Electric Veng
Aizawl

Mizoram.

14:Sh. L. Nghakliana
R/o Chanmari West
Aizawl
Mizora

Advocate for the Petitioner : Mr. Joseph Lalchhanhima Renthlei
Advocate for the Respondent : Addl. AG/GA, Mizoram for R1-7

Linked Case : I.A.(Civil)/158/2024

Smt. Vanramchhuangi
R/o Chaltlang Dawrkawn
Aizawl

VERSUS

The Chief Secretary to the Govt. of Mizoram and 13 Ors.
Aizawl

Advocate for the Petitioner : Mr. Joseph Lalchhanhima Renthlei
Advocate for the Respondent :

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI
ORDER

Date : 11.09.2024

(Michael Zothankhuma, J)

Heard Mr. Joseph L. Renthlei, learned counsel for the petitioner and Ms. Lalnunhluii, learned Government Advocate appearing on behalf of the respondent Nos. 1 to 7.

Notice on the prayer for a stay order had been issued by this Court on 03.09.2024.

Ms. Lalnunhluii, learned Government Advocate for the respondent Nos. 1

to 7 submits that in view of the stay orders issued by the Range Forest Officer, Environmental and Forest & Climate Change Department vide Orders dated 27.06.2023 and 31.07.2023, the PWD, Government of Mizoram has acted upon the same and no construction work is being undertaken by any person, the private respondents or the PWD in respect of the project, i.e. (i) construction of MDR road from Sirvakawn-11 Kmp to Selesih - 28 Kmp (Phase II of 28 Km Dilsei-Selesih by-pass road on NH-54) and (ii) construction of village road for connecting village Mualhang with Dilsei-Selesih by-pass road at 8 Kmp.

The petitioner has also submitted an affidavit stating that *dasti service* has been affected upon the respondent Nos. 9 to 14 on 09.09.2024.

The respondent Nos. 4 or 5 shall submit an affidavit within a week, stating as to whether the stay orders issued by the Range Forest Officer, Environment and Forest & Climate Change Department, Aizawl Forest Division dated 27.06.2023 and 31.07.2023 has been acted upon in respect of the above project.

As per office note dated 10.09.2024, there is no return of A/D card or service report in respect of the respondent Nos. 8 to 14 till date.

List the matter on **25.09.2024**.

In the meantime, the respondents may file their affidavits-in-opposition.

JUDGE

JUDGE

Comparing Assistant