



GAHC030006742024



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

Case No. : WP(C)/114/2024

Sh. R. Lalramzauva and 10 Ors.
S/o R. Hranchhana (L)
R/o Lunglawn, Lunglei, Mizoram.

2: Sh. Domana

3: Smt. Thansiami

4: Sh. Neihkima

5: Sh. J. Laltanpuia

6: Sh. F. Lalthanzauva

7: Sh. Thanchhunga

8: Sh. T. Lalmuanpuia

9: Sh. K. Hrangliana

10: Sh. F. Zohmingsanga

11: Sh. K. Lalring

VERSUS



State of Mizoram r/b the Chief Secy. to the Govt. of Mizoram and 8 Ors.
Aizawl, Mizoram. 2:The Secretary
Land Revenue and Settlement Dept.
Govt. of Mizoram

3:The Secretary
Public Works Dept.
Govt. of Mizoram

4:The Engineer-in-Chief
Public Works Dept.
Govt. of Mizoram

5:The Chief Engineer (Roads)
Public Works Dept.

6:The Superintending Engineer
Public Works Dept.
Lunglei Circle

7:The Executive Engineer
Public Works Dept.
Lunglei Division

8:The Chief Executive Officer
Mizoram Rural Roads Development Agency
Govt. of Mizoram

9:The Deputy Commissioner/District Collector
Lunglei Distric

Advocate for the Petitioner : Mr. Lalfakawma

Advocate for the Respondent : Addl. AG/GA, Mizoram for R1-9



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

23.04.2026

Heard Mr. Lalzekima, learned counsel for the petitioners and Ms. Lalnunhlui, learned Government Advocate appearing for the State respondents.

[2.] By filing this writ petition, the petitioners have sought for a direction to the respondent authorities concerned to conduct a spot verification over their land to verify as to whether the construction of a PMGSY road from Luangmual to Vaisam in Lunglei District, Mizoram by the respondents has encroached upon their land and if so, to direct them to acquire the land and pay compensation as per the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act of 2013).

[3.] It is the case of the petitioners that they are the owners of their respective lands which are covered by Periodic Pattas located at Luangmual to Vaisam in Lunglei District, Mizoram. The State respondents have constructed a road under the PMGSY connecting Luangmual to Vaisam over their land without paying them any compensation. Although the petitioners submitted their representation to respondent Nos. 4, 8 & 9 on 22.05.2024, but since the same



has not been considered, the petitioners are before this Court.

[4.] Mr. The Lalzekima, learned counsel for the petitioners submits that, in fact, similarly situated persons had approached this Court earlier with identical grievance by filing WP(C) No. 124/2023 and this Court vide Order dated 11.06.2024 had disposed of the writ petition by directing the respondent authorities to conduct re-verification of the land and to pay compensation to them if it was found that their lands had been affected by the road construction. The learned counsel submits that the instant petitioners are also similarly situated except that they are holders of Periodic Pattas, while the petitioners in WP(C) No. 124/2023 are LSC holders. The learned counsel submits that the petitioners nevertheless are entitled to be given appropriate compensation in terms of their land holding.

[5.] Ms. Lalnunhlui, learned Government Advocate, appearing for the respondents, submits that the petitioners in their writ petition have not specifically stated anywhere as to what sort of damages have been caused to their land and all that is mentioned is that their lands have been affected by the construction of the road.

[6.] The learned Government Advocate further submits that under the



PMGSY Scheme, which is meant for rural connectivity, there is no provision for compensation under the scheme. She submits that in connection with the construction of the road, a joint meeting was held involving the Public Works Department, Revenue Department, Forest Department and the concerned Village Councils and land owners, within the villages of Lunglawn, Chithar and Vaisam and the same was attended by the parties concerned and there was no issue of complaints or claims being made. Therefore, it only appears that the land owners had voluntarily donated their land and agreed not to claim for compensation.

[7.] It may however be seen that in the earlier round of litigation in WP(C) No. 124/2023, similar issues were raised and countered. From the materials available on record, it only appears that the present case is covered by the earlier decision of this Court in WP(C) No. 124/2023. No materials have been placed before this Court regarding any challenge made to the earlier decision of this Court and under the facts and circumstances, this Court finds no impediment in disposing of the writ petition in a similar manner as a covered case.

[8.] In view of above, this Writ Petition is disposed of with a direction to the respondent authorities to conduct a re-verification on the damages caused to



the land of the petitioners. The verification team shall comprise of the following:-

- (1) The Deputy Commissioner, Lunglei as the Chair Person.
- (2) Director, Land Revenue & Settlement or his representatives.
- (3) The Chief Executive Officer, MIRRDA-cum-Engineer-inChief, PWD or his representatives. (4) The land owners concerned or their representatives.

[9.] The Deputy Commissioner, Lunglei within 15 days of receipt of a certified copy of this order shall notify a convenient date preferably within 1 (one) month for verification of the land of the petitioners by intimating all the members of the verification team. The verification team, upon making such verification as may be necessary, shall prepare a report and submit the same before the Deputy Commissioner, who shall then make appropriate assessment as per the prevailing law. The assessment so made shall then be communicated to the Govt. of Mizoram in the PWD, who shall then make arrangement for allocation of necessary fund and deposit the amount so assessed before the District Collector, Lunglei within a period of 3 (three) months from the date of receipt of the assessment whereafter, the Collector shall disburse the same to the land owners without delay.



[10.] With the above observation and direction, the Writ Petition stands disposed of.

JUDGE

Comparing Assistant