

GAHC030007222025



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

Case No. : RFA/48/2025

The State of Mizoram and 2 Ors.

Represented by the Chief Secretary to the Government of Mizoram, Public Works
Department, Aizawl 2: The Secretary to the Government of Mizoram
Public Works Department
Aizawl

3: The Engineer-in-Chief
Public Works Department
Mizoram
Aizawl

VERSUS

Sh. K. Kalkhama and 9 Ors.

S/o Laihnuna, R/o N. Chaltlang, Kolasib District 2: Sh. R. Thanzuala
S/o Chawndenga
R/o N. Chaltlang
Kolasib District

3: Sh. Thanzuala
S/o Chawngdenga
R/o N. Chaltlang
Kolasib District

4: Sh. Rintluanga
S/o Khuangliana
R/o N. Chaltlang
Kolasib District

5: Presbyterian Church
R/o N. Chaltlang
Kolasib District

6: Sh. R. Sangthanga

S/o Khuangliana
R/o N. Chaltlang
Kolasib District

7:Sh. Lallianchhunga
S/o Chawngdenga
R/o N. Chaltlang
Kolasib District

8:Sh. Lalzawma
S/o Sawiluaia
R/o N. Chaltlang
Kolasib District

9:Sh. Dailova
S/o Saia
R/o N. Chaltlang
Kolasib District

10:Sh. Dailova
S/o Saia
R/o N. Chaltlang
Kolasib District

Advocate for the Petitioner : Mr. C Lalfakzuala

Advocate for the Respondent : Mr. P C Lalthangmawia

Linked Case : I.A.(Civil)/190/2025

The State of Mizoram and 2 Ors.
Represented by the Chief Secretary to the Government of Mizoram
Public Works Department
Aizawl

2: The Secretary to the Government of Mizoram
Public Works Department
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2:Sh. R. Thanzuala
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R/o N. Chaltlang
Kolasib District

10:Sh. Dailova
S/o Saia

R/o N. Chaltlang
Kolasib District

Advocate for the Petitioner : Mr. C Lalfakzuala
Advocate for the Respondent :

B E F O R E
HON'BLE MR. JUSTICE PRANJAL DAS

ORDER

21.01.2026

Heard Mr. C. Lalfakzuala, learned counsel for the applicant/appellant. Also heard Mr. P.C. Lalthangmawia, learned counsel for the respondents.

The learned counsel for the applicant/appellants have drawn my attention to the order dated *28.10.2025* passed in this Interlocutory Application. It may be mentioned herein that the interlocutory application herein has been filed seeking stay of the impugned judgment and order of attachment dated *11.09.2025* and the order of attachment dated *11.09.2025* passed by the learned Judge, Fast Track Court-cum-Addl. District & Sessions Judge, Aizawl Judicial District, Kolasib- in **Execution Petition No. 02/2025**, arising out of **L.A. case No.16 of 2015**.

Upon hearing the matter, this Court, vide the aforesaid order dated 28.10.2025, passed in this interlocutory application - has granted stay of the impugned judgement and order of attachment dated 11.09.2025, subject to the condition of the applicant depositing half of the compensation amount i.e., **Rs. 1,01,94,308/-**.

In the context of the same, the counsel for the appellant has submitted a communication dated 10-11-2025, indicating that the said amount of **Rs.1,01,94,308/-** has been deposited before the learned Court panel in **L.A. (Civil) 190/2025**. The said document also enumerates deposits with regard to other cases. A copy of the communication dated 10.11.2025 as well as of the cheque have been placed before the Court and I have been duly perused the same.

It is submitted by the learned counsel that the present appeal, being **RFA No. 48 of 2025**, has been filed challenging the judgement and order dated 11.09.2025, passed in the **Execution Petition No. 02 of 2025**, arising out of **LA Case No. 16 of 2015**.

It is also submitted that against the main judgement in **LA case No.16 of 2015**, the applicants/appellants have preferred a separate appeal, being **L.A. Appeal No.04/2025**, in which, there is also an interlocutory application seeking condonation of delay.

I have carefully perused the order dated 28.10.2025 passed by this court, granting the aforementioned stay of the impugned judgement dated 11.09.2025 and the order attachment dated 11.09.2025 passed by the Execution Court, subject to the deposit of the amount of **Rs.1,01,94,308/-**.

It is reflected in the said order - the difficulties faced by the applicant side in running of the establishment and office due to the order of stay and the order of the attachment.

As the applicant has complied with the condition imposed by this Court - while granting stay till the returnable date and deposited the stated amount of Rs. **Rs.1,01,94,308/-** - therefore, I am of the considered view that in terms of

the said stay order itself dated 28-10-2025, (*paragraph 11, 11.1*), the prayer for continuance of the stay should be granted.

Accordingly, till disposal of the appeal, being **RFA No. 48 of 2025**, the order dated 11.10.2025 passed in **Execution Petition No. 2 of 2025** (arising out of **LA No.16/2015**), shall remain **stayed**.

The instant interlocutory application stands **allowed** and **disposed of**.

JUDGE

Comparing Assistant