

GAHC040000752026



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

Case No. : WA/16/2026

Biri Posi and 3 Ors
Son of Late Biri Nama, Village Talanriang, PO Palin, Kra Daadi District, Arunachal Pradesh. 2: Biri Kame

Age:

Occupation :

Son of Late Biri Niya

Village Talangriang

PO Palin

Kra Daadi District

Arunachal Pradesh.

3: Miss Biri Aku

Age:

Occupation :

Daughter of Sri Biri Posi

Village Talangriang

PO Palin

Kra Daadi District

Arunachal Pradesh.

4: Miss Biri Ema

Age:

Occupation :

Daughter of Shri Biri Posi

Village Talangriang

PO Palin

Kra Daadi District

Arunachal Pradesh

VERSUS

The State of AP and 5 Ors

represented by the Chief Secretary, Govt. of Arunachal Pradesh, Itanagar 791111

2:The Secretary

Age: 0

Occupation :

Land Management

Govt of Arunachal Pradesh 791111

3:The Deputy Commissioner

Age: 0

Occupation :

Kra Daadi District

Palin

Arunachal Pradesh 791118

4:The Chief Engineer (Highway)

Age: 0

Occupation :

PWD

Western Zone

Govt of Arunachal Pradesh

Itanagar. 791111

5:The Union of India

Age: 0

Occupation :

represented by the Secretary

Ministry of Road Transport and Highway

Govt of India

Transport Bhawan

No.1

Parliament Street

New Delhi 11001

6:The National Highway and Infrastructure Development Corporation Limited

Age: 0

Occupation :

represented by the Managing Director

3rd Floor

PTI Building

4 Parliament Street

New Delhi 11000

Advocate for the Petitioner : Subu Koyang, Ugin Puri,Mudang Doilyang,Debo Mangkhya

Advocate for the Respondent : GA (AP), SC(Highway),DSGI,Rintu Saikia,Marto Kato

BEFORE
HONOURABLE MRS. JUSTICE MARLI VANKUNG
HONOURABLE MRS. JUSTICE YARENJUNGLA LONGKUMER

ORDER

Date : 20.01.2026
(Marli V., J)

On the disposal of the IA(C) No.27(AP)/2026, allowing the condonation application, heard Mr. S. Koyang, learned counsel for the appellants.

The learned counsel for the appellants submits that there are sufficient grounds for setting aside the Judgment and order of the learned Single Bench in WP(C) No. 246(AP)/2023 dated 19.11.2025 by submitting that learned Single Judge had erred in coming to the conclusion that in the case of the petitioners, there was no pending matter before any other authorities while referring to the Judgment of the Apex Court in the case of ***State of Arunachal Pradesh & Anr Vs. Mihin Laling & Ors.***

Admit the appeal.

Issue notice to the respondents.

Since, Mr. N. Ratan, learned Additional Advocate General accepts notice on behalf of respondents No.1, 2 and 3, Mr. R. Saikia, learned counsel accepts notice on behalf of respondent No.4 and Mr. N. Sora, learned counsel accepts notice on behalf of Mr. M. Kato, learned DSGI representing the respondent No.5, no need to issue formal notice. Requisite extra copies of the writ appeal be furnished to all the learned

counsel for the respondents.

List the matter again after 3(three) weeks, during the 2nd week of March, 2026.

In the meantime, the learned counsel for the respondents to file their counter-affidavits, if so advised.

JUDGE

JUDGE

Comparing Assistant