

GAHC040001172017



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

Case No. : RFA/6/2017

SHRI TARH KUYU
S/O LT. TARH TAI, RESIDENT OF POLO COLONY, PO/PS NAHARLAGUN,
PAPUM PARE DIST., AP.

VERSUS

SHRI GEMAR LOLLEN
S/O LT. JUMGE LOLLEN, PROPRIETOR M/S M.L. ENTERPRISES,
PERMANENT RESIDENT OF KOMBO PAPAK, PO/PS AALO, WEST SIANG
DIST, AP. 2:SHRI DOLI ETE

Age: 0

Occupation :

S/O JUMDO ETE

PERMANENT RESIDENT OF POBDI VILLAGE

PO/PS AALI

WEST SIANG DIST. AP.

3:SHRI GADAM ETE

Age: 0

Occupation :

S/O BINGA ETE

PERMANENT RESIDENT OF DARKA VILLAGE

PO/PS AALO

WEST SIANG DIST. AP

Advocate for the Petitioner : MR.K Loya

Advocate for the Respondent :

Linked Case : IA(C)/36/2017

SHRI TARH KUYU

Age: 0

Occupation :

Address:S/O LT. TARH TAI
RESIDENT OF POLO COLONY
PO/PS NAHARLAGUN
PAPUM PARE DISTRICT
AP.

VERSUS

SHRI GEMAR LOLLEN

Age: 0

Occupation :

Address:S/O LT. JUMGE LOLLEN PROPRIETOR M/S M.L. ENTERPRISES
PERMANENT RESIDENT OF KOMBO PAKAK
PO/PS AALO
WEST SIANG DISTRICT

A P.

2:SHRI DOLI ETE

Age: 0

Occupation :

Address:S/O JUMDO ETE
PERMANENT RESIDENT OF POBDI VILLAGE
PO/PS AALO
WEST SIANG DISTRICT

AP.

3:SHRI GADAM ETE

Age: 0

Occupation :

Address:S/O BINGA ETE
PERMANENT RESIDENT OF DARKA VILLAGE
PO/PS AALO
WEST SIANG DISTRICT

AP.

Advocate for : T Taggu

Advocate for : appearing for SHRI GEMAR LOLLEN: Advocate ,

, appearing for 2,

3, respectively.

Linked Case : RFA/3/2017

SHRI GADAM ETE

Age: 0

Occupation :

Address:S/O BINGA ETE

PERMANENT RESIDENT OF DARKA VILLAGE

PO/PS AALO WEST SIANG DISTRICT

AP. MOBILE NO. 8414814647

VERSUS

SHRI GEMAR LOLLEN

Age: 0

Occupation :

Address:S/O LT. JUMGE LOLLEN

PROP. M/S M.L. ENTERPRISES

PERMANENT RESIDENT OF KOMBO PAPAK

PO/PS AALO

WEST SIANG DISTT. AP.

2:SHRI TARH KUYU

Age: 0

Occupation :

Address:S/O LT. TARH TAI

RESIDENT OF POLO COLONY

PO/PS NAHARLAGUN

PAPUM PARE DISTT. AP.

3:SHRI DOLI ETE

Age: 0

Occupation :

Address:S/O JUMDO ETE

PERMANENT RESIDENT OF POBDI VILLAGE

PO/PS AALO

WEST SIANG DISTT. AP.

Advocate for : MrD Panging

Advocate for : T Taggu appearing for SHRI GEMAR LOLLEN: Advocate ,

, appearing for 2,

3, respectively.

Linked Case : IA(C)/26/2017

SHRI DOLI ETE

Age: 0
Occupation :
Address:S/O JUMDO ETE
PERMANENT RESIDENT OF POBDI VILLAGE
PO/PS AALO WEST SIANG DISTT. AP.

VERSUS

SHRI GEMMAR LOLLEN

Age: 0
Occupation :
Address:S/O LT. JUMGE LOLLEN
PROP. M/S M.L. ENTERPRISES
PERMANENT RESIDENT OF KOMBO PAPAK
PO/PS AALO
WEST SIANG DISTRICT
AP.

2:SHRI TARH KUYU

Age: 0
Occupation :
Address:S/O LT. TARH TAI
RESIDENT OF POLO COLONY
PO/PS NAHARLAGUN
PAPUM PARE DISTT. AP.

3:SHRI GADAM ETE

Age: 0
Occupation :
Address:S/O BINGA ETE
PERMANENT RESIDENT OF DARKA VILLAGE
PO/PS AALO
WEST SIANG DISTT. AP.

Advocate for : G Taloh

Advocate for : appearing for SHRI GEMMAR LOLLEN: Advocate ,

, appearing for 2,

3, respectively.

Linked Case : RFA/5/2017

SHRI DOLI ETE

Age: 0
Occupation :
Address:S/O SHRI JUMDO ETE

VILLAGE POBDI
PO/PS AALO
WEST SIANG DISTRICT
AP. MOBILE NO. 8256964634

VERSUS

SHRI GEMAR LOLLEN
Age: 0
Occupation :
Address:S/O LT. JUMGE LOLLEN
PROPRIETOR M/S M.L ENTERPRISEES
PERMANENT REISENT OF KOMBO PAPAK
PO/PS AALO
WEST SIANG DISTRICT AP.
2:SHRI TARH KUYU

Age: 0
Occupation :
Address:S/O LT. TARH TAI
RESIDENT OF POLO COLONY
PO/PS NAHARLAGUN
PAPUM PARE DISTRICT
AP.

3:SHRI GADAM ETE
Age: 0
Occupation :
Address:S/O BINGA ETE
PERMANENT RESIDENT OF DARKA VILLAGE
PO/PS AALO
WEST SIANG DISTRICT
A P.

Advocate for : MR.Y Riram
Advocate for : MrN Ratan appearing for SHRI GEMAR LOLLEN: Advocate ,

, appearing for 2,

3, respectively.

**BEFORE
HONBLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 18.03.2024

At the commencement of hearing of these appeals, Mr. N. Ratan, learned counsel appearing for one of the appellants has invited the attention of this Court to the Arunachal Pradesh Civil Courts Act, 2021, more particularly Section 15 of the Act, to submit that after the enactment of the aforesaid Act, a question would arise as to whether, the present appeals are required to be heard by the High Court or the matter should be remanded to the jurisdictional District Judge to hear the appeals on merit.

The said issue remained unresolved today.

On the request of the learned counsel appearing for the appellants, let these appeals be listed again on 20.03.2024, so as to enable them to come prepared and address arguments on the point of jurisdiction of the Court to hear the appeals.

JUDGE

Comparing Assistant