

GAHC040002352026



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

Case No. : WP(C)/61/2026

Michael Tajo
Son of Late Harku Tajo, resident of Niti Vihar, Itanagar, PO Bank Tinali, PS Niti Vihar, Papum Pare District, Arunachal Pradesh.

VERSUS

The State of AP and 3 Ors
represented by the Chief Secretary, Civil Secretariat, Itanagar, Arunachal Pradesh.

2:The Commissioner cum Secretary

Age: 0

Occupation :

Urban development and Housing Department

Govt of Arunachal Pradesh

Civil Secretariat

Itanagar

Arunachal Pradesh.

3:The Director

Age: 0

Occupation :

Urban Development and Housing Department

Govt of Arunachal Pradesh

Itanagar

Arunachal Pradesh.

4:The Assistant Commissioner cum Estate Officer

Age: 0

Occupation :

Itanagar

Papum Pare District

Arunachal Pradesh

Advocate for the Petitioner : Jambey Tsering Kee, Techhi Topu

Advocate for the Respondent : GA (AP),

**BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 19.02.2026

Heard Mr. J. Tsering Kee, learned counsel for the petitioner.

Challenging the Eviction Notice dated 20.01.2026, issued by the Assistant Commissioner-cum-Estate Officer, Itanagar, by which, the petitioner has been directed to vacate the Government quarter No.-02/Type-V at Niti Vihar within 10.02.2026, failing which, eviction drive will be conducted on 16.02.2026, this petition is filed.

Ms G. Ete, learned Additional Senior Government Advocate for the State respondents has placed a copy of the allotment order dated 01.12.2025, issued by the Commissioner (Urban Affairs) Government of Arunachal Pradesh, which reflects that the said Government quarter No.-02/Type-V has been allotted to the Chairperson, Lok Ayukta, Arunachal Pradesh.

Mr. J. Tsering, learned counsel for the petitioner fairly submits that the petitioner, in fact, is illegally occupying the said quarter, however, his only contention is that while issuing the eviction notice, Section 4 of the Arunachal Pradesh Public Premises (Eviction of Unauthorised Occupants) Act, 2003 has not been complied with.

Having considered that the petitioner having been directed to vacate the said Government quarter within 10.02.2026, failing which, eviction drive will be conducted on 16.02.2026, and also considering that the petitioner on his own admission is illegally occupying the Government residential quarter which has already been allotted to the Chairperson, Lok Ayukta, Arunachal Pradesh, the respondent authorities are at liberty to proceed with the action as per the Eviction Notice dated 20.01.2026, if it is not already carried out.

However, having considered the strenuous argument of Mr. J. Tsering, learned counsel for the petitioner that while issuing the impugned Eviction Notice, the provision of the Section 4 of the Arunachal Pradesh Public Premises (Eviction of Unauthorised Occupants) Act, 2003 needs to be followed with irrespective of persons admittedly in illegal occupation or not, let this matter be listed on **23.02.2026** for further consideration.

JUDGE

Comparing Assistant