

GAHC040002572025



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

Case No. : CRP/10/2025

Yang Perme
Ayeng Village, PO and PS Mebo, East Siang District, Arunachal Pradesh.

VERSUS

Genkeng Tayeeng
Ayeng Village, PO and PS Mebo, East Siang District, Arunachal Pradesh.

Advocate for the Petitioner : Tony Pertin, T Mize, Eddie Payeng, H K Jamoh

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 19.02.2025

Heard Mr. T. Pertin, learned counsel for the petitioner.

2. By filing this application under Article 227 of the Constitution of India read with section 115 of the Code of Civil Procedure 1908, the petitioner has challenged the legality and validity of the summon dated 3.1.2025, issued by one Genkeng Tayeeng for sitting of Customary Court (village kebang), and the spot verification made by kebang on 6.2.2025, in the absence of the petitioner.

3. According to the learned counsel for the petitioner, the sole respondent who is not a GB has no authority to issue the impugned notice and to cause to visit the spot or submit any report on the matter which has already been settled and the appeal is pending before the higher forum.
4. Issue notice returnable by 4(four) weeks.
5. The petitioners shall take steps for service of notice upon the respondents by registered post with A/D as well as by usual process within a week from today.
6. Upon perusal of the impugned summon order, prima facie it appears that the authority who has issued the summon is not the GB or the customary court under the Arunachal Pradesh Civil Courts Act 2021. It also appears that the appeal filed by the respondent is still pending before the inter village authority.
7. In view of the above, it is provided that the operation of the impugned summon issued by the respondent dated 3.1.2025, and the spot verification report dated 6.2.2025, shall remain stayed till the next returnable date.
8. As prayed for, the petitioner is permitted to file additional affidavit by annexing translated copy of the appeal filed by the respondent before the inter village authority.
9. List the matter after **4(four)** weeks.

JUDGE

Comparing Assistant