

GAHC040002672024



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

Case No. : WP(C)/88/2024

Sisu Lamgu
Son of Late Hai Lamgu, resident of Dipu Lamgu village, PO Gyawepurang, PS
Seppa, East Kameng District, Arunachal Pradesh

VERSUS

The State of AP and 4 Ors
represented by the Secretary, General Administration, Civil Secretariat, Govt of
Arunachal Pradesh, Itanagar 2:The Deputy Commisioner
Age: 0
Occupation :
Seppa
East Kameng District
Arunachal Pradesh 790102

3:The Additional Deputy Commisionr
Age: 0
Occupation :
Seppa
East Kameng District
Arunachal Pradesh 790102

4:The Circle Officer
Age: 0
Occupation :
Pipu Circle
East Kameng District
Arunachal Pradesh 790102

5:Nyakit Lamgu
Age: 0
Occupation :
Head Gaon Buri (HGB)

resident of Dipu Lamgu Village
PO Gyawepurang
PS Seppa
East Kameng District
Arunachal Pradesh 79010

Advocate for the Petitioner : Bomchi Taipodia

Advocate for the Respondent : GA (AP)

-BEFORE-

HON'BLE MR. JUSTICE KAKHETO SEMA

28.02.2024

Heard Mr. I. Bam, learned counsel for the petitioner.

The present writ petition has been filed for non-consideration of the appointment of petitioner as the Head Gaon Burah (for short, 'HGB') of Dipu Lamgu Village.

By the order, dated 02.01.2024 issued by the Deputy Commissioner, East Kameng District, Seppa, the petitioner was appointed as Gaon Burah (for short, 'GB') of Dipu Lamgu village. On the expiry of the incumbent HGB of the village, the Dipu Lamgu Development Committee organized a meeting on 06.12.2022 and proposed/recommended the petitioner to be the HGB of the village. The petitioner accordingly submitted the application to the concerned authority for appointment as the HGB of Dipu Lamgu village. However, instead of considering the case of the petitioner, the Deputy Commissioner, East Kameng District, Seppa has issued the order, dated 09.05.2023 appointing the respondent No. 5 as the HGB of Dipu Lamgu village under Pipu Circle.

It is the case of the petitioner that the respondent No. 5 was appointed as GB only in the year, 2022 and therefore not eligible to be appointed as the HGB of the village in accordance with the guidelines for appointment of GB in

Arunachal Pradesh, more particularly, serial No. 5 Clause-F of the said guidelines.

Being aggrieved by the appointment of the respondent No. 5, the petitioner submitted 2 (two) representations, dated 28.05.2023 and 23.01.2024 to the Deputy Commissioner, East Kameng District, Seppa seeking for removal of the respondent No. 5 from the post of HGB and to appoint him the petitioner as the HGB of Dipu Lamgu Village. However, the said representations submitted before the Deputy Commissioner, East Kameng District, Seppa has not yielded any response till date. Therefore, the petitioner is before this Court by filing the present writ petition.

Issue notice to the respondents, returnable after 4 (four) weeks.

Mr. Tapin, learned Senior Govt. Advocate appears for respondent Nos. 1 to 4, therefore, no formal notice need be issued to the said respondents. The learned counsel for the petitioner shall however serve the requisite extra copies of the writ petition to the learned Govt. Advocate within a period of 3 (three) days from today.

Insofar as, the respondent No. 5 is concerned, the learned counsel for the petitioner shall take steps for service of notice upon the said respondent by registered post with A/D as well as by usual process within a period of 7 (seven) days from today.

List after 4 (four) weeks.

JUDGE

Comparing Assistant