

GAHC040003042024



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

Case No. : WP(C)/97/2024

Tao Dele and 45 Ors
S/o Late Kati Dele, permanent resident of New Elope Village, PO and PS Hunli,
Lower Dibang Valley District, Arunachal Pradesh 2: Gochi Dele

Age:

Occupation :

Son of Mita Dele

permanent resident of New Elope Village

PO and PS Hunli

Lower Dibang Valley District

Arunachal Pradesh

3: Gosi Dele

Age:

Occupation :

Son of Shri Mita Dele

permanent resident of New Elope Village

PO and PS Hunli

Lower Dibang Valley District

Arunachal Pradesh

4: Ege Dele

Age:

Occupation :

Son of Late Gutti Dele

permanent resident of New Elope Village

PO and PS Hunli

Lower Dibang Valley District

Arunachal Pradesh

5: Simbro Dele

Age:

Occupation :

Son of Late Eyali Dele

permanent resident of New Elope Village
PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

6: Lai Dele

Age:

Occupation :

Son of Late Gutu Dele

permanent resident of New Elope Village
PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

7: Haziti Dele

Age:

Occupation :

permanent resident of New Elope Village
PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

8: Rao Dele

Age:

Occupation :

S/o Late Eyali Dele

permanent resident of New Elope Village
PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

9: Rosai Dele

Age:

Occupation :

permanent resident of New Elope Village
PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

10: Raj Dele

Age:

Occupation :

Son of Late Rawuni Dele

permanent resident of New Elope Village
PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

11: Yupi Dele

Age:

Occupation :

permanent resident of New Elope Village

PO and PS Hunli

Lower Dibang Valley District

Arunachal Pradesh

12: Ayupa Dele

Age:

Occupation :

permanent resident of New Elope Village

PO and PS Hunli

Lower Dibang Valley District

Arunachal Pradesh

13: Ambroko Dele

Age:

Occupation :

Son of Late Deto Dele

permanent resident of New Elope Village

PO and PS Hunli

Lower Dibang Valley District

Arunachal Pradesh

14: Tipange Dele

Age:

Occupation :

D/o Late Deto Dele

permanent resident of New Elope Village

PO and PS Hunli

Lower Dibang Valley District

Arunachal Pradesh

15: Mengo Dele

Age:

Occupation :

permanent resident of New Elope Village

PO and PS Hunli

Lower Dibang Valley District

Arunachal Pradesh

16: Rusi Dele

Age:

Occupation :

D/o Late Eyali Ele

permanent resident of New Elope Village

PO and PS Hunli

Lower Dibang Valley District
Arunachal Pradesh

17: Mika Dele

Age:

Occupation :

S/o Late Eyali Dele

permanent resident of New Elope Village

PO and PS Hunli

Lower Dibang Valley District

Arunachal Pradesh

18: Athuko Dele

Age:

Occupation :

Son of Shri Rao Dele

permanent resident of New Elope Village

PO and PS Hunli

Lower Dibang Valley District

Arunachal Pradesh

19: Ashati Dele

Age:

Occupation :

Son of Late Eyali Dele

permanent resident of New Elope Village

PO and PS Hunli

Lower Dibang Valley District

Arunachal Pradesh

20: Andezo Dele

Age:

Occupation :

S/o Ashati Dele

permanent resident of New Elope Village

PO and PS Hunli

Lower Dibang Valley District

Arunachal Pradesh

21: Gasome Dele

Age:

Occupation :

permanent resident of New Elope Village

PO and PS Hunli

Lower Dibang Valley District

Arunachal Pradesh

22: Hoja Dele

Age:
Occupation :
Son of Shri Gasome Dele
permanent resident of New Elope Village
PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

23: Hangope Dele
Age:
Occupation :
D/o Shri Mkita Dele
permanent resident of New Elope Village
PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

24: Akungu Mimi
Age:
Occupation :
permanent resident of New Elope Village
PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

25: Amuge Misu
Age:
Occupation :
Son of Late Dalu Misu
permanent resident of New Elope Village
PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

26: Gone Dele
Age:
Occupation :
Son of Shri Mita Dele
permanent resident of New Elope Village
PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

27: Atapo Dele
Age:
Occupation :
Son of Late Singre Dele
permanent resident of New Elope Village

PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

28: Ayelu Meto
Age:
Occupation :
H/o Late Padru Dele
permanent resident of New Elope Village
PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

29: Amita Umpo
Age:
Occupation :
permanent resident of Asali Village
PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

30: Ruha Dele
Age:
Occupation :
permanent resident of New Elope Village
PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

31: Aman Dele
Age:
Occupation :
Son of Late Guti Dele
permanent resident of New Elope Village
PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

32: Dota Dele
Age:
Occupation :
Son of Late Kati Dele
permanent resident of New Elope Village
PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

33: Meta Dele

Age:
Occupation :
Son of Late Natu Dele
permanent resident of New Elope Village
PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

34: Wiko Dele
Age:
Occupation :
S/o Late Jaru Dele
permanent resident of New Elope Village
PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

35: Takime Dele
Age:
Occupation :
Son of Late Gopa Dele
permanent resident of Birnli Village
PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

36: Jira Dele
Age:
Occupation :
Son of Late Mengra dele
permanent resident of Birnli Village
PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

37: Sahani Dele
Age:
Occupation :
Son of Shri Atapo Dele
permanent resident of New Elope Village
PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

38: Atho Dele
Age:
Occupation :
Son of Late Tenge Dele

permanent resident of New Elope Village
PO and PS Hunli
Lower Dibang Valley District
Arunachal Pradesh

39: Akiju Dele

Age:

Occupation :

Son of Shri Ashati Dele

permanent resident of New Elope Village

PO and PS Hunli

Lower Dibang Valley District

Arunachal Pradesh

40: Aprolo Dele

Age:

Occupation :

Son of Shri Atapo Dele

permanent resident of New Elope Village

PO and PS Hunli

Lower Dibang Valley District

Arunachal Pradesh

41: Litu Dele

Age:

Occupation :

Son of Shri Rusal Dele

permanent resident of New Elope Village

PO and PS Hunli

Lower Dibang Valley District

Arunachal Pradesh

42: Gaji Dele

Age:

Occupation :

Son of Shri Mengo Dele

permanent resident of New Elope Village

PO and PS Hunli

Lower Dibang Valley District

Arunachal Pradesh

43: Lako Dele

Age:

Occupation :

Son of Shri Simbro Dele

permanent resident of New Elope Village

PO and PS Hunli

Lower Dibang Valley District

Arunachal Pradesh

44: Mima Dele

Age:

Occupation :

D/o Late Guti Dele

permanent resident of New Elope Village

PO and PS Hunli

Lower Dibang Valley District

Arunachal Pradesh

45: Mine Dele

Age:

Occupation :

D/o Tenge Dele

permanent resident of New Elope Village

PO and PS Hunli

Lower Dibang Valley District

Arunachal Pradesh

46: Enda Dele

Age:

Occupation :

D/o Late Tenge Dele

permanent resident of New Elope Village

PO and PS Hunli

Lower Dibang Valley District

Arunachal Pradesh

VERSUS

The Union of India and 8 Ors

represented by the Secretary, Ministry of Power, GOI, Shram Shakti Bhawan, Rafi

Marg, New Delhi-1 2:The Secretary

Age: 0

Occupation :

Ministry of Environment

Forest and Climate Change (MoEFCC)

GOI

Indira Paryavaran Bhawan

Jorbagh Road

New Delhi

3:The State of Arunachal Pradesh

Age: 0

Occupation :

represented by the Secretary (Power)

Govt of Arunachal Pradesh

Itanagar 791111

4:The Managing Director

Age: 0

Occupation :

National Hydroelectric Power Corporation Ltd

NHPC Office Complex

Sector 33

Faridabad

Haryana 121003

5:The Secretary

Age: 0

Occupation :

Department of Land Management

Govt of Arunachal Pradesh

Civil Secretariat

Itanagar 791111

6:The Director of Land Management

Age: 0

Occupation :

Govt of Arunachal Pradesh

Civil Secretariat

Itanagar

7:The Executive Director

Age: 0

Occupation :

NHPC Ltd

Roing

Lower Dibang Valley District

Arunachal Pradesh 792110

8:The General Manager DMP

Age: 0

Occupation :

NHPC Ltd

Roing

Lower Dibang Valley District

Arunachal Pradesh 792110

9:The Deputy Commisisoner

Age: 0

Occupation :

Roing

Lower Dibang Valley District

Arunachal Pradesh 79211

Advocate for the Petitioner : Sunil Mow

Advocate for the Respondent : Marto Kato

**BEFORE
HONBLE MR. JUSTICE KALYAN RAI SURANA**

ORDER

Date : 21.05.2024

Mr. S. Mow, learned counsel for the petitioners has referred to the office note dated 20.04.2024 and it is submitted that the petitioners may be permitted to serve notice on respondent nos. 4, 7 and 8 by dasti.

Prayer is allowed.

Steps within 2 days.

Notice is made returnable on 03.06.2024.

Upon service, an affidavit of service shall be filed prior to the next date of listing.

Ms. R. Basar, learned Govt. advocate prays for 3(three) weeks' time to file affidavit-in-opposition in the matter.

Mr. L. Rakap, learned counsel appearing on behalf of Mr. M. Kato, learned DSGI submits that although he has communicated to the respondent nos. 1 and 2, no response is received.

Mr. S. Yirang, learned counsel appearing on behalf of learned standing counsel for the Power Department (respondent no.3) cannot say that the Power Department is intends to file affidavit or not. Therefore, we presumed that the Power Department is not interested to contest this writ petition.

List on 13.06.2024.

JUDGE

Comparing Assistant