

GAHC040006312025



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

Case No. : WP(C)/187/2025

Dharma Charan Chakma

Son of Japan Chandra Chakma, resident of Village Buddhisatta-II, Miao Circle,
Changlang , Arunachal Pradesh 792122

VERSUS

The State of AP and 2 Ors

represented by the Chief Secretary, Govt of Arunachal Pradesh, Itanagar 7911112:The
Principal Chief Conservator of Forest

Age: 0

Occupation :

Southern Arunachal Circle Deomali

Changlang District

Arunachal Pradesh 792129

3:The Divisional Forest Officer

Age: 0

Occupation :

Nampong Forest Division

Jairampur

Changlang District

Arunachal Pradesh 79212

Advocate for the Petitioner : Aso Dalbong,

Advocate for the Respondent : GA (AP),

-BEFORE-

HON'BLE MR. JUSTICE MANISH CHOUDHURY

ORDER

25.04.2025

Heard Mr. K. D. Sharma, learned counsel for the petitioner and Mr. Y.
Riram, learned State counsel representing all the respondents.

2. The petitioner has approached this Court with the instant writ petition to challenge an Eviction Notice dated 11.04.2025, served upon him by the respondent No. 3. The petitioner has stated that the impugned Eviction Notice was served upon the petitioner only on 19.04.2025. By the impugned Eviction Notice, the respondent No. 3 in exercise of powers conferred under the Arunachal Pradesh Forest (Ejectment of Unauthorized persons from Reserved Forest) Rules of 2013 and Section 72 (c) of the Assam Forest Regulation Act of 1891 has directed the petitioner to vacate the plot of land under his occupation within a period of 15 days on the premise that the land under the possession of the petitioner belongs to reserved forest.

3. From the contents of the impugned Eviction Notice, it is noticed that the petitioner was earlier served with an Eviction Notice on 08.02.2021 and it transpires that the alleged encroachment is inside the Diyun Reserved Forest at Buddhisatta-II without acquiring Forest Land Clearance from the concerned authorities.

4. Mr. Sharma, learned counsel for the petitioner has submitted that the petitioner's family has been living on a plot of land since the year, 1970.

5. The matter would require further examination for consideration.

6. Issue notice returnable within 4 (four) weeks.

7. As Mr. Y. Riram, learned State counsel has entered appearance and accepted notice on behalf of the respondent Nos. 1, 2 & 3, issuance of formal notices are dispensed with. However, the requisite extra copies of the writ petition along with the annexures appended therewith be furnished to him during the course of the day.

8. Considering the projection made by the petitioner that the family of the petitioner have been living at Buddddhisatta area since the year, 1970, it is provided that the *Status-quo* with regard to the plot of land mentioned in the impugned Eviction Notice dated 11.014.2025, as on today, shall be maintained by the parties till the returnable date.

9. List the case accordingly after 4 (four) weeks on a date to be fixed by the Registry of this Court.

JUDGE

Comparing Assistant