

GAHC040006742025



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

Case No. : WP(C)/197/2025

Sokhep Kri and Anr
Son of Late K Kri, permanent resident of Paya Village, PO and PS Sunpura, Lohit
District, Arunachal Pradesh. 2: Khijum Draï

Age:

Occupation :

authorized representative of Paya Village

permanent resident of Village Paya

Po and PS Sunpura

Lohit District

Arunachal Pradesh

VERSUS

The State of AP and 7 Ors
represented by the Chief Secretary, Govt of Arunachal Pradesh, Itanagar. 2:The
Secretary

Age: 0

Occupation :

Environment and Forest

Govt of Arunachal Pradesh

Itanagar.

3:The Principal Chief Conservator of Forest

Age: 0

Occupation :

Department of Environment and Forest

Govt of Arunachal Pradesh

Itanagar.

4:The Conservator of Forest (Cons)

Age: 0

Occupation :

Department of Environment and Forest

Govt of Arunachal Pradesh
Itanagar.

5:The Chief Conservator of Forest
Age: 0
Occupation :
EAC
Tezu
Department of Environment and Forest
Lohit District
Arunachal Pradesh.

6:The Divisional Forest Officer
Age: 0
Occupation :
Tezu
Lohit District
Arunachal Pradesh.

7:The Deputy Commissioner
Age: 0
Occupation :
Tezu
Lohit District
Arunachal Pradesh.

8:The Union of India
Age: 0
Occupation :
represented by the Secretary
Ministry of Environment
Forest and Climate Change
Govt of India
Indira Paryavaran Bhawan
Jorbagh Road
New Delhi 11000

Advocate for the Petitioner : Rintu Saikia, Ligam Nochi, Vijay Jamoh

Advocate for the Respondent : GA (AP), DSGI, Marto Kato

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

19.05.2025

Heard Shri R Saikia, learned counsel for the petitioners.

The petitioners have approached this Court in representative capacity for the villagers of Paya Village in the district of Lohit. They have put to challenge a notification dated 08.06.1971 whereby, the petitioners' community land was declared as reserved forest. The petitioners have also challenged the subsequent notification dated 06.04.1998 enlarging the earlier area from 184 sq km to 204.45 sq km. The petitioners allege violation of the AFR, 1891 and also the principles of natural justice.

This Court while taking up this matter on 05.05.2025 had, however, noticed the huge delay in approaching the Court and had accordingly, granted time to the learned counsel for the petitioners to explain the position.

Shri Saikia, learned counsel for the petitioners has drawn the attention of this Court to the averments made in paragraphs 13, 14 and 15 of the writ petition and has attempted to explain the delay.

On the other hand, Shri RH Nabam, learned Addl. AG, AP has strenuously opposed the writ petition and even raised issue of maintainability of the petition as the same has been instituted after more than 50 years. He has also submitted that the explanations set forth are not at all convincing.

This Court has perused the averments made in paragraphs 13, 14 and 15 of the writ petition. After perusal of the same, this Court is of the opinion that notice is liable to be issued which is accordingly done.

The aforesaid notice is made returnable by 6 weeks.

Shri Nabam, learned Addl. AG, AP accepts notice on behalf of the respondent nos. 1 to 7 whereas Shri M Kato, learned Dy. SGI accepts notice on behalf of the

respondent no. 8.

Let extra copies of the writ petition be served upon the learned counsel for the respondents within 2 working days.

Since the notice has been issued on a *prima facie* view of the averments made in paragraphs 13, 14 and 15 of the writ petition, the aspect of maintainability on the ground of laches is kept open.

List this case after 6 weeks.

JUDGE

Comparing Assistant