

GAHC040008592022



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

**Case No. : WP(C) 252/2022**

1:Antosha Tindya and 37 Ors.  
S/o Shri Babumso Tindya,  
Resident of Village Loilang, PO/PS Tezu, Dist Lohit, Arunachal Pradesh.

2: Gunemso Tindya  
S/o Babumso Tindya

Resident of Village Loiliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

3: Babumso Tindiya  
S/o Lt. N. Tindya

Resident of Village Loiliang

Dist. Lohit  
Arunachal Pradesh.

4: Mantila Tindya  
S/o Lt. B. Tindya

Resident of Village Tafragram

PO/PS Tezu  
Dist Lohit  
Arunachal Pradesh.

5: Goiso Tindya  
S/o Mantila Tindya

Resident of Village Tafragram

PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

6: Juniso Tindya  
S/o Mantila Tindya

Resident of Village Tafragram

PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

7: Sose Tindya  
S/o Balakhi Tindya

Resident of Village Bekhuliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

8: Sonkhraainlum  
S/o Mabralum Tindya

Resident of Village Bekhuliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

9: Sopanso Tindya  
S/o Lt. Tindya

Resident of Village Chagliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

10: Shantiso Tindya  
S/o Sopanso Tindya

Resident of Village Changliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

11: Basilum Tamai  
S/o Lt. Thaolum Tamai

Resident of Village Loilliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

12: Prasanso Tamai  
S/o Basilum Tamai

Resident of Village Loilliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

13: Bawhilum Tamai  
S/o Deyalum Tamai

Resident of Village Loilliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

14: Brami Tamai  
S/o Deyalum Tamai

Resident of Village Loilliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

15: Junratso Tamai  
S/o Lt. Deyalum Tamai

Resident of Village Loilliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

16: Teso Tamai  
S/o Lt. Kapolung Tamai

Resident of Village Loilliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

17: Kedenso Tamai  
S/o Lt. Deyalum Tamai

Resident of Village Loiliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

18: Gangaram Kathak  
S/o Sokhelum Kathak

Resident of Village Loiliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

19: Sahaing Kathak  
S/o Sokhelum Kathak

Resident of Village Loiliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

20: Pikalum Kathak  
S/o Lt. Karampom Kathak

Resident of Village Mekailiang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

21: Bathamso Kathak  
S/o Lt. Garampom Kathak

Resident of Village Makailiang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

22: Badamso Kathak  
S/o Garampom Kathak

Resident of Villlage Mekailiang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

23: Chazalum Kathak  
S/o Lt. Garampom Kathak

Resident of Village Mekailang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

24: Bazalum Kathak  
S/o Lt. Pehenlum Kathak

Resident of Village Railiang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

25: Bafolum Kathak  
S/o Lt. Pehelum Kathak

Resident of Village Railiang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

26: Bagremso Kathak  
S/o Lt. Pehenlum Kathak

Resident of Village Pohayuliang  
PO/PS Khupa  
Dist. Lohit  
Arunachal Pradesh.

27: Micky Kathak  
S/o Thawelum Kathak

Resident of Village Railiang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

28: Bamki Kathak  
S/o Lt. Matanglum Kathak

Resident of Village Loiliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

29: Dangresha Kathak  
S/o Lt. Thanu Kathak

Resident of Village Railiang  
PO Hayuliang  
PS Khupa  
Dist. Lohit  
Arunachal Pradesh.

30: Najamlum Kathak  
S/o Sokhekum Kathak

Resident of Village Loiliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

31: Bawe Tayang  
S/o Lt. T. Tayang

Resident of Village Tafragram

PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

32: Thorolum Tayang  
S/o Lt. Brapamso Tayang

Resident of Village Tafragram  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

33: Tholongsu Tayang  
S/o Lt. S. Tayang

Resident of Village Tafragram PO/PS Tezu. Dist. Lohit  
Arunachal Pradesh.

34: Premansu Tayang  
S/o Lt. B. Tayang

Resident of Village Tafragram

PO/PS Tezu

Dist. Lohit  
Arunachal Pradesh.

35: Bachaklum Tayang  
LT. C. Tayang

Resident of Village Tafragram  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

36: Thalelum Tayang  
S/o Lt. S. Tayang

Resident of Village Tafragram  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

37: Novem Tayang  
S/o Lt. S. Tayang

Resident of Village Tafragram

PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh.

38: Mojimsai Yun  
W/o Lt. S. Yun

Resident Village of Huchuliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh

VERSUS

1:THE STATE OF AP and 26 Ors.

Represented by the Chief Secretary to the Govt. of Arunachal Pradesh, Govt. of Arunachal Pradesh, Civil Secretariat, Itanagar, PS and PO Itanagar, Arunachal Pradesh 791111

2:The Secretary  
(Land Management)  
Department of Land Management  
Govt. of Arunachal Pradesh  
Itanagar  
PO and PS Itanagar  
Arunachal Pradesh  
PIN 791111

3:The Director  
of Land Management  
Govt. of Arunachal Pradesh  
ESS Sector  
Itanagar  
Arunachal Pradesh  
PIN 791111

4:The Deputy Commissioner  
Tezu  
PO and PS Tezu  
Lohit District  
Arunachal Pradesh  
PIN 792001

5:Bisaiso Chaitom  
S/o Lt. Sotha Chaitom

Vill Loiliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh  
Pin 792001

6:Sojangso Yun  
S/o Sokosu Yun.  
Vill Loiliang

PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh  
PIN 792001

7:Vikhelum Bellai  
S/o Lt. L. Bellai

PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh  
Pin 792001

8:Bathamlu Yun  
W/o Lt. Sokai Yun

Vill. Loiliang

PO/PS Tezu

Dist. Lohit  
Arunachal Pradesh  
Pin 792001

9:Lobiso Chaitom  
S/o Kayam Chaitom

Vill Loiliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh  
PIN 792001

10:Moso Chiba  
S/o Lt. Thakjum Chiba  
Vill Rock Line  
PO/PS Tezu Town  
Dist. Lohit  
Arunachal Pradesh  
PIN 792001

11:Behemso Tayang  
S/o Soti Tayang

Vill Loiliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh  
PIN 792001

12:Santilu Nilang  
W/o Sambu Chai

Vill. Chai Colony  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh  
PIN 792001

13:Soplai Tayang  
S/o Lt. C Tayang

Vill Tafariagam  
Dist. Lohit  
Arunachal Pradesh  
PIN 792001

14:Khodelum Tayang  
S/o Lt. B. Tayang

Vill. Tafragam  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh  
PIN 792001

15:Thayem Mepo  
S/o Lt. Kanupin Mepo  
Vill. Loiliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh  
PIN 792001

16:Solo Musu/Chaitom  
S/o Lt. Saloku Musu

Vill Yealing  
PO/PS Sunpura  
Dist. Lohit  
Arunachal Pradesh  
PIN 792001

17:Sutik Krisikro  
S/o Mayapso Krisikro

Vill. Telluliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh  
PIN 792001

18:Bakhrim Chikro  
S/o Lt. T. Chikro

Vill 19th Mile  
PO/PS Sunpura  
Dist. Lohit  
Arunachal Pradesh  
PIN 792001

19:Chojum Boo  
S/o Lt. Barum Boo

Vill Loiliang

PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh  
PIN 792001

20:Bayengso Draí  
S/o Lt. S. Draí

Vill Loiliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh  
PIN 792001

21: Batu Kathak  
S/o Lt. B. Kathak

Vill Loiliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh  
PIN 792001

22: Bafringlu Tai  
W/o Bomju Tai

Vill Loiliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh  
PIN 792001

23: Basalum Boo  
S/o Lt. Yualum Boo  
Vill. Loiliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh  
PIN 792001

24: Bakli Draí  
S/o Lt. Bachong Draí

Vill Loiliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh  
PIN 792001

25:Nilalum Tayang  
S/o Lt. Klelum Tayang

Vill Loiliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh  
PIN 792001

26:Khogen Boo  
S/o Lt. Sogen Boo  
Vill. Loiliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh  
PIN 792001

27:Soti Tayang  
S/o Lt. G. Tayang  
Vill. Loiliang  
PO/PS Tezu  
Dist. Lohit  
Arunachal Pradesh  
PIN 79200

**Advocate for the Petitioner** : Sunil Mow  
**Advocate for the Respondent** : GA (AP)

**BEFORE  
HONBLE MR. JUSTICE NELSON SAILO  
ORDER**

**Date : 27-07-2022**

Heard Mr. S. Mow, learned counsel for the petitioners, who submits that the petitioners have come to this Court for the second time. The earlier writ petition i.e. WP(C)50(AP)/2021, was disposed on 24.02.2021, with a direction to the Deputy Commissioner concerned to dispose off the representation of the petitioners, praying that they should be included in the list of beneficiaries to receive the compensation. Be it stated herein that, the case of the petitioners is

that the Indian Army for installation of the key location point at the Headquarters 82 Mountain Brigade, Denning Camp, Shivaji Nagar at Tezu, in the District of Lohit, require a certain area of land. The petitioners claim that they are the land owners of the land being acquired for the said purpose.

The representation of the petitioners was finally disposed off by the Deputy Commissioner vide order dated 19.05.2022 (Annexure-15), but to the surprise of the petitioners, they have not been included as the beneficiaries to receive the compensation. Therefore they are before this Court once again.

The petitioner now allege that the respondent authorities have not followed the mandatory provisions of the Land Acquisition Act, 1894, in making acquisition, while, on the other hand, it is their claim that the said Act was meticulously followed.

In view of the above projection, let notice of motion be issued, returnable by 4(four) weeks.

As Mr. D. Kamduk, learned Standing counsel, Land Management Department appears for the respondent Nos. 2 & 3, and Mr. R. H. Nabam, learned Additional Advocate General appears for the State respondent Nos. 1 & 4, and they accept notice. As such, no formal notices are required to be sent. However, requisite extra copies of the petition be served to them during the course of the day.

Steps for service of notice upon the remaining respondents be taken by registered post with A/D, as well as by usual process, within a week.

List the matter again after **4(four) weeks**.

**JUDGE**

**Comparing Assistant**