

GAHC040013712022



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

Case No. : WP(C)/438/2022

Tam Tagung and 10 Ors
S/o Late Tam Hali,
R/o Regyar Village, Nyapin, PO and PS Nyapin, Kurung Kumey District, Arunachal Pradesh.
Contact No. 93627339688 (m)

2: Tadar Nikpo
Age:
Occupation :
S/o Late Tadar Maj

R/o Leyang Village
Nyapin
PO and PS Nyapin
Kurung Kumey District
Arunachal Pradesh.
Cont. No. 6022873953 (m)

3: Tadar Tasi
Age:
Occupation :
S/o Late Tadar Changriang

R/o Leyang Village
Nyapin
PO and PS Nyapin
Kurung Kumey District
Arunachal Pradesh.
Cont. 9362863932 (m)

4: Tadar Yakia
Age:
Occupation :

W/o Late Tadar Changriang

R/o Leyang Village
Nyapin
PO and PS Nyapin
Kurung Kumey Dstrict
Arunachal Pradesh
Cont no. 9362863932 (m)

5: Tadar Tai
Age:
Occupation :
S/o Late Tadar Takang

R/o Leyang Village
Nyapin
PO and PS Nyapin
Kurung Kumey Dstrict
Arunachal Pradesh
Cont No.9862501163 (m)

6: Tadar Taniu
Age:
Occupation :
S/o Late Tadar Tagi

R/o Leyang Village
Nyapin
PO and PS Nyapin
Kurung Kumey Dstrict
Arunachal Pradesh
Cont No. 9394604320 (m)

7: Tadar Tajuk
Age:
Occupation :
S/o Shri Tadar Nikpo
R/o Leyang Village
Nyapin
PO and PS Nyapin
Kurung Kumey Dstrict
Arunachal Pradesh
Cont No. 9485224509 (m)

8: Tai Doriak
Age:
Occupation :
S/o Late Tai Ekiong

R/o Peel Village
Sangram
PO and PS Sangram
Kurung Kumey District
Arunachal Pradesh.
Cont No 9612545780 (m)

9: Tai Yadik
Age:
Occupation :
W/o Late Tai Epak

R/o Peel Village
Sangram
PO and PS Sangram
Kurung Kumey District
Arunachal Pradesh
Cont No. 9362292507 (m)

10: Tai Bate
Age:
Occupation :
S/o Shri Tai Doriak

R/o Peel Village
PO and PS Sangram
Kurung Kumey District
Arunachal Pradesh.
Cont. No 8413827451 (m)

11: Bengia Sagung
Age:
Occupation :
S/o Shri Bengia Tangak

R/o Pari Village
PO/PS Koloriang
Kurung Kumey District
Arunachal Pradesh.
Cont. No. 9612032855 (m)

VERSUS

THE STATE OF AP and 16 Ors.
Represented through the Chief Secretary, Civil Secretariat, Itanagar, PO and PS
Itanagar, Arunachal Pradesh. 2:The Secretary cum Commissioner
Age: 0

Occupation :
Rural Work Department
Govt. of Arunachal Pradesh
Itanagar.

3:The Secretary

Age: 0
Occupation :
(RWD) Govt. of Arunachal Pradesh
Arunachal Pradesh Rural Roads Development Agency
Rural Works Department
C Sector
Itanagar 791111

4:The Commissioner

Age: 0
Occupation :
(Land Management) Civil Secretariat
Itanagar
Govt. of Arunachal Pradesh.

5:The Director

Age: 0
Occupation :
of Land Management
ESS Sector
Itanagar
Govt. of Arunachal Pradesh
Itanagar.

6:The Deputy Commissioner

Age: 0
Occupation :
Koloriang
Kurung Kumey District
Govt. of Arunachal Pradesh.

7:The Chief Engineer (PMGSY)

Age: 0
Occupation :
ARRDA
Rural Work Department
Itanagar
Govt. of Arunachal Pradesh

8:The Executive Engineer

Age: 0
Occupation :

Laaying Yangte Division
Sangram
Kurung Kumey District
Govt. of Arunachal Pradesh.

9:M/s Modern Engineering Enterprises
Age: 0
Occupation :
R/o C Sector
Itanagar
PO/PS Itanagar
Papum Pare District
Arunachal Pradesh.

10:M/s Gabharu Infracon Pvt. Ltd.
Age: 0
Occupation :
R/o Samuar Mansion
Block A
Flat No. 604
7th Floor
Chachal VIP Express Road
Guwahati 781022 (Assam)

11:M/s AK and B Associates
Age: 0
Occupation :
R/o A Sector
Naharlagun
Papum Pare District
Arunachal Pradesh.

12:M/s Lokam Yasi Carriage and Construction (Associates)
Age: 0
Occupation :
R/o D Sector
Naharlagun
PO and PS Naharlagun
PO and PS Naharlagun
Papum Pare District
Arunachal Pradesh.

13:M/s Kenge Construction Co.
Age: 0
Occupation :
R/o ESS Sector
Itanagar
PO and PS Itanagar

Papum Pare District
Arunachal Pradesh.

14:M/s Yuma Enterprise
Age: 0
Occupation :
C/o Executive Engineer
Laaying Yangte Division
Sangram
Kurung Kumey District
(AP)

15:The Principal Chief Conservator of Forest
Age: 0
Occupation :
Department of Forest
Environment and Climate Change
Govt. of A.P
Itanagar.

16:The Chairman and Member Secretary
Age: 0
Occupation :
Arunachal Pradesh State Pollution Control Board
Paryavaran Bhawan
Yupia Road Papu Hills
Naharlagun (AP)

17:The Divisional Forest Officer
Age: 0
Occupation :
Koloriang
Kurung Kumey District
Govt. of Arunachal Pradesh

Advocate for the Petitioner : Nalo Pada, Tai Shiva,Tai Dool,Bomnya Kamdak,Tato Maying

Advocate for the Respondent : GA (AP), Dugmar Kamduk,SC(Land Management),Gimi Tarak,SC(RWD),D Tadar,Minter Karbak,N Lowang,R. Riba

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

Date : 06.12.2024

Heard Mr. T. Shiva, learned counsel for the petitioners. Also heard Ms. K. Wangmo, learned Government Advocate for the respondent Nos. 1, 6, 15, 16 & 17 and Mr. D. Kamduk, learned Standing counsel for the Land Management Department, representing the respondent Nos. 4 & 5.

Office Note, dated 05.12.2024, indicates that no affidavit-in-opposition has been filed by the Rural Works Department (RWD) till date. Order dated 08.08.2024 indicates that Mr. G. Tarak, learned Standing counsel for the Rural Works Department has taken 3 (three) weeks' time to file affidavit, but no affidavit has been filed in view of the Office Note dated 05.12.2024. It also appears the matter is pending since the year 2022.

In view of above, the Rural Works Department (RWD) is directed to file its affidavit, within a period of 2 (two) weeks from today.

In the event of failing to file affidavit within the stipulated period, the Court will proceed to hear and dispose of the petition without the affidavit of the Rural Works Department.

List the matter on 16.01.2025.

JUDGE

Comparing Assistant