

GAHC040013852024



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

Case No. : IA(C)/194/2024

Albert Mra
Son of Late Nyamin Mra, Resident of Tama Chung Chung PO Limeking, Upper
Subansiri District, Arunachal Pradesh.

VERSUS

Govind Mohan and 5 Ors
IAS, Home Secretary, Ministry of Home Affairs, Govt of India, North Block, New
Delhi 110001 2:Rahul Rasgotra
Age: 0
Occupation :
IPS
DG (ITBP) Block No.2
CGO Complex
Lodhi Road
New Delhi 110003

3:Mukesh Singh
Age: 0
Occupation :
IPS
IG
ITBP
North East Frontier
Itanagar
Arunachal Pradesh 791110

4:The State of Arunachal Pradesh
Age: 0
Occupation :
represented by the Secretary (Land Management) Govt of Arunachal Pradesh 791110

5:The Deputy commissioner

Age: 0
Occupation :
Upper Subansiri District
Daporijo
Arunachal Pradesh 791122

6: Vishal Anand
Age: 0
Occupation :
DIG
SHQ (LKB) ITMPF
PO Likabali
PS Likabali
Lower Siang District
Arunachal Pradesh. 79112

Advocate for the Petitioner : Radhe Yakang,

Advocate for the Respondent : GA (AP), SC (Land Management), Dugmar Kamduk

Linked Case : WP(C)/343/2023

Albert Mra
Age: 57
Occupation :
Address: S/o Late Nyamin Mra

Resident of Tama Chung Chung
PO Limeking
Upper Subansiri District. (AP)
Contact No. 9436054249

VERSUS

the Union of India and 4 Ors.
Age: 0
Occupation :
Address: Ministry of Home Affairs

Represented by the Home Secretary
North Block
New Delhi 110001
2: the DG (ITBP)

Age: 0
Occupation :
Address:Block No. 2
CGO Complex
Lodhi Road
New Delhi 110003

3:the IG
Age: 0
Occupation :
Address:ITBP
North East Frontier
Itanagar
Arunachal Pradesh 791110

4:THE STATE OF AP
Age: 0
Occupation :
Address:Represented by the Secretary (Land Management)
Govt. of Arunachal Pradesh 791110

5:the Deputy Commissioner
Age: 0
Occupation :
Address:Upper Subansiri District
Daporijo
AP 791122

Advocate for : Subu Koyang
Advocate for : GA (AP) appearing for the Union of India and 4 Ors.: Advocate ,

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,

, appearing for 2,

3,

4,

5, respectively.

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

Date : 03.06.2025

Heard Mr. S. Koyang, learned counsel for the applicant/petitioner. Also heard Mr. M. Kato, learned Dy.S.G.I. for the respondent Nos.1, 2, 3 and 6 as well as Ms. P. Sangeeta, learned Government Advocate for the State respondent Nos.4 and 5.

During the course of hearing, Mr. Koyang, learned counsel for the applicant/petitioner has drawn the attention of this Court to Page Nos.44 and 45 of the Interlocutory Application, which are the letters dated 14.10.2015 and 08.09.2017, written by the Commandant, 10th Bn, ITB Police, to the Deputy Commissioner, Upper Subansiri, Daporijo and submits that in the aforementioned two letters dated 14.10.2015 and 08.09.2017, the respondent No.3 had admitted that the land under their possession is 187 acres, but, in their affidavit, at paragraph No.5, the respondent Nos.1, 2, 3 and 6 had taken a stand that it is incorrect to say that the ITBP took possession of the land at TCC, measuring 187 acres of land, which was under the direct possession of the Assam Rifle and ITBP from the year 2004. And as such, a clear case of perjury is made against the respondent Nos.1, 2, 3 and 6 and therefore, Mr. Koyang submits that an Officer of the Registry may be directed to file a complaint against the aforementioned respondents under Section 229 of the BNS, 2023, corresponding to Section 192 IPC.

At this stage, Mr. Kato, learned Dy.S.G.I. submits that he may be granted 2(two) days time so as to enable him to obtain instructions in respect of Page Nos.44 and 45, the two letters dated 14.10.2015 and 08.09.2017, written by the

Commandant, 10th Bn, ITB Police to the Deputy Commissioner, Upper Subansiri, Daporijo.

Taking note of the submissions of learned counsel for both the parties, Mr. Kato, learned Dy.S.G.I. is allowed to obtain necessary instructions from the aforementioned respondents and apprise this Court of the same on 05.06.2025.

Accordingly, it is provided that Registry shall list the matter on 05.06.2025.

JUDGE

Comparing Assistant