

GAHC040015782024



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

Case No. : CRP/52/2024

Teto Taba and Anr
Son of Late Tote Taba, Chirne Village, PO and PS Basar, Leparada District,
Arunachal Pradesh.

2: Tei Taba
Age:
Occupation :
Son of Late Tote Taba
Chirne Village
PO and PS Basar
Leparada District
Arunachal Pradesh

VERSUS

The Deputy Commissioner and 3 Ors
Basar, Leparada District, Arunachal Pradesh.

2:The Village Authority
Age: 0
Occupation :
Soi village
Leparada District
Basar
Arunachal Pradesh represented by its Head Gaon Burah
Shri Henken Basar
Village Soi
Basar
Leparada District
Arunachal Pradesh.

3:Gogam Basar
Age: 0

Occupation :
Son of Late Migo Basar
Chirne Village
PO and PS Basar
Leparada District
Arunachal Pradesh.

4:Gokar Basar
Age: 0
Occupation :
EX MLA
29th Basar (ST) Assembly Constituency
Son of Late Migo Basar
Chirne Village
PO and PS Basar
Leparada District
Arunachal Pradesh

Advocate for the Petitioner : Petitioner in Person,

Advocate for the Respondent : GA (AP),

**BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 28.11.2024

Heard Mr. T. Taba, the learned petitioner in person.

As per the direction of this Court, Ms. T. Wangmo, learned Government Advocate has produced the instructions, which indicates that dispute has been referred to the Head GB of Soi Village, namely, Shri Henken Basar, as the lone GB of Chirne village is a close relative of the respondent.

On such instruction, Mr. T. Taba, learned petitioner in person submits that Shri Henken Basar, Head GB of Soi Village, is also a relative of the respondent,

therefore, he also cannot take up the matter if the matter is entrusted to the HGB of Soi Village only on the ground of having one Gaon Burah, who is a close relative of the respondent.

Considering the above instructions and submissions of the learned counsel for the parties, it is provided that pendency shall not be a bar for the petitioner in person to approach the Deputy Commissioner for appointment of another HGB/GB for adjudication of the matter, if it is established that Shri Henken Basar of Soi Village is a relative of the respondent.

Ms. T. Wangmo, learned Government Advocate is directed to bring on record the instruction by way of an affidavit.

Let the matter be listed after 3(three) weeks.

Interim order passed earlier shall continue till the next date of listing.

JUDGE

Comparing Assistant