

GAHC040015972024



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

Case No. : WP(C)/545/2024

Bohoni Mimi and 2 Ors
Son of Late Yora Mimi, resident of Village Sirang, Dambuk, PO and PS Dambuk,
Lower Dibang Valley District, Arunachal Pradesh 2: Bota Mimi
Age:
Occupation :
Son of Late Yora Mimi
resident of Village Sirang
Dambuk
PO and PS Dambuk
Lower Dibang Valley District
Arunachal Pradesh. present address Mayu-II
Roing Lower Dibang Valley District.

3: Azad Mimi
Age:
Occupation :
Son of Late Yora Mimi
resident of Village Intaya
Roing
Lower Dibang Valley District
Arunachal Pradesh

VERSUS

The State of AP and 3 Ors
represented through Secretary, Land Management, Govt of Arunachal Pradesh, Civil
Secretariat, Itanagar, Arunachal Pradesh 791111 2:The Deputy Commissioner
Age: 0
Occupation :
Lower Dibang Valley District
Roing
Arunachal Pradesh 792110

3:The Additional Deputy Commissioner

Age: 0

Occupation :

Dambuk

Lower Dibang Valley District

Arunachal Pradesh 792110

4:Omane Mito

Age: 0

Occupation :

Son of Late Lando Mito

resident of Village Mayu II

PO and PS Roing

Lower Dibang Valley District

Arunachal Pradesh

Advocate for the Petitioner : Sunil Mow, S Mili, Aruna Rai, Tado Siga, Chanya Bangsia, k N Maling, Madan Mili

Advocate for the Respondent : GA (AP),

-BEFORE-

HON'BLE MR. JUSTICE KARDAK ETE

21.11.2024

Heard Mr. S. Mow, learned counsel for the petitioners.

By filing this writ petition, the petitioners have put to challenge the LPC bearing No.643 dated 17.02.2020 issued by the Deputy Commissioner, Lower Dibang Valley District, Roing.

Mr. Mow, learned counsel for the petitioners submits that the impugned LPC dated 17.02.2020 has been issued in violation of the prescribed guidelines issued by the Govt. of Arunachal Pradesh. He submits that the land is an ancestral land of the petitioners on which the respondent No. 4, namely, Shri Omame Mito has no right.

Issue notice returnable by 4 (four) weeks.

Since Ms. R. Basar, learned State counsel appears and accepts notice on behalf of State respondent Nos. 2 & 3, no formal notice is required to be served. However, requisite extra copies of the writ petition be furnished to her during the course of the day.

None has appeared on behalf of respondent No. 1 on call.

Petitioner to take steps for service of notice upon respondent No. 1 & 4 by registered post with A/D within 2 days.

Considering that the impugned LPC dated 17.02.2020 issued by the Deputy Commissioner, Lower Dibang Valley District, Roing appears to be prima facie in violation of the prescribed guidelines issued by the State Government, till the returnable date, the impugned LPC bearing No. 643 dated 17.02.2020 shall not be given effect to. However, the respondent authorities may proceed with the process of survey or any other action that would be required for construction of road over the land.

List the matter after 4 (four) weeks.

JUDGE

Comparing Assistant