

GAHC040016162025



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

Case No. : WP(C)/454/2025

Doi Riram
Son of Late Jumdo Riram, permanent resident of Jipu Village, PO and PS Likabali,
Lower Siang District, Arunachal Pradesh.

VERSUS

The State of AP and Anr
represented by the Principal Secretary, Environment and Forest/ Principal Chief
Conservator of Forest, Department of Environment, Forest and Climate Change, Govt
of Arunachal Pradesh, Itanagar. 2:The Divisional Forest Officer
Age: 0
Occupation :
Likabali Forest Division
Likabali
Lower Siang District
Arunachal Pradesh

Advocate for the Petitioner : Tagum Jamoh, N Doji, Keten Tabang
Advocate for the Respondent : GA (AP),

BEFORE
HON'BLE MR. JUSTICE NELSON SAILO
O R D E R

19.09.2025

Heard Mr. T. Jamoh, learned counsel for the petitioner, who submits
that the petitioner is aggrieved with the Notice dated 08.09.2025
(Annexure-IV), by which he has been directed to vacate the reserved

forest area within 15(fifteen) days and failing which, necessary eviction as per the provisions of law shall be carried out.

Learned counsel for the petitioner submits that the petitioner has not been given a notice prior to issuance of the impugned order as mandated by the Arunachal Pradesh Forest (Ejectment of Unauthorized Persons from Reserved Forest) Rules, 2013 (Rules of 2013), which has been framed under the provisions of Assam Forest Regulation (7 of 1891) as applied to the State of Arunachal Pradesh.

Learned counsel for the petitioner submits that the petitioner along with others have also filed WP(C) No.287(AP)/2025 before this Court seeking a direction to the respondent authorities concerned for issuance of No Objection Certificate (NOC) for creation of the proposed Jipu-Dodi as census village within the Dipa Reserve Forest in the district of Lower Siang in Arunachal Pradesh.

Learned counsel for the petitioner submits that vide order dated 27.06.2025, this Court in WP(C) No.287(AP)/2025 has directed the authorities to maintain status-quo and the writ petition is pending as on date. In the meantime, the petitioner has been issued the impugned Ejectment notice.

Ms. G. Ete, learned Additional Senior Government Advocate, Arunachal Pradesh submits that as per the said order dated 27.06.2025, the Court had observed that the parties shall not cause any damage to the environment and ecology of the forest area and that their settlement in the reserved forest is only on temporary basis. However, the instant petitioner has constructed a permanent concrete structure unauthorisedly

and it was on that account that the eviction notice has been issued.

Be that as it may, let notice of motion be issued returnable by four weeks.

Ms. G. Ete, learned Additional Senior Government Advocate accepts notice on behalf of all the respondents and therefore, no formal notice is required.

Petitioner shall however furnish requisite copies of the writ petition to the learned Additional Senior Government Advocate appearing today for the respondents within two working days.

Having regard to the fact that a prior notice has not been issued to the petitioner in terms of Rules of 2013, the impugned Notice dated 08.09.2025 shall remain stayed till the next returnable date. The petitioner on his part shall also not engage himself in any further construction in the land occupied by him.

Liberty is also granted to the petitioner to file an additional affidavit incorporating the subsequent developments, if so advised.

List the matter after four weeks on a date to be fixed by the Registry.

JUDGE

Comparing Assistant