

GAHC040017772023



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

Case No. : Cont.Cas(C)/35/2023

Ariya Meto and 29 Ors.

S/o Unti Meto, R/o Keraa Ati, PO/PS Roing, Lower Dibang Valley District,
Arunachal Pradesh 2: Reti Misu

Age:

Occupation :

Permanent resident of Village Iphingo

Roing Circle

Lower Dibang Valley

AP 792110

3: Alopī Mekola

Age:

Occupation :

S/o Atro Mekola

Permanent resident of Village Iphingo

P.O/P.S Roing

Lower Dibang Valley District

Arunachal Pradesh

4: Tura Linggi

Age:

Occupation :

S/o Shri Tima Linggi

permanent resident of Kebali village

Roing

Lower Dibang Valley District

Arunachal Pradesh

5: Santi Miwu

Age:

Occupation :

W/o Shri Faine Tapo

Permanent resident of Kebali Village
P.O/PS Roing
Lower Dibang Valley District
Arunachal Pradesh

6: Santi Linggi
Age:
Occupation :
W/o Akole Linggi

Permanent resident of Village Kebali
P.O/P.S Roing
Lower Dibang Valley District
Arunachal Pradesh

7: Kuni Linggi
Age:
Occupation :
S/o Shri Aka Linggi

Permanent resident of Village Iphingo
P.O/P.S Roing
Lower Dibang Valley District
Arunachal Pradesh

8: Kinako Linggi
Age:
Occupation :
W/o Shri Somi Elapra

Permanent resident of village Iphingo
Roing Circle
Lower Dibang Valley District
Arunachal Pradesh

9: Heta Elapra
Age:
Occupation :
S/o Kogo Elapra

Permanent resident of Iphingo 6 Km Village
Roing Circle
Lower Dibang Valley District
Arunachal Pradesh

10: Ajay Ekru
Age:

Occupation :
S/o Nusuchu Ekro
Permanent resident of Village Iphingo Village
P.O/P.S Roing
Lower Dibang Valley District
Arunachal Pradesh

11: Simili Mithi

Age:
Occupation :
W/o Ekata Mili

Permanent resident of Village Kebali
Lower Dibang Valley District
Arunachal Pradesh

12: Athuko Tapo

Age:
Occupation :
S/o Shri Sundu Tapo

permanent resident of Village Kebali
Lower Dibang Valley District
Arunachal Pradesh

13: Ista Pulu

Age:
Occupation :
S/o Shri Risha Pulu

Permanent resident of Village Kebali
P.O/P.S Roing
Lower Dibang Valley District
Arunachal Pradesh

14: Joweta Meme

Age:
Occupation :
S/o Limu Meme
Permanent resident of Roing Mayu II
P.O/P.S Roing
Lower Dibang Valley District
Arunachal Pradesh

15: Jitu Pulu

Age:
Occupation :
S/o Shri Ahuki Pulu

Permanent resident of School Line Mayu II
Lower Dibang Valley District
Arunachal Pradesh

16: Sipi Elapra
Age:
Occupation :
W/o Aken Linggi

Permanent Resident of Roing Mayu I
Roing Circle
Lower Dibang Valley District
Arunachal Pradesh

17: Akene Linggi
Age:
Occupation :
S/o Pitu Linggi

Permanent resident of Kendriya Vidyalaya Colony
Roing
Lower Dibang Valley District
Arunachal Pradesh

18: Nimati Elapra
Age:
Occupation :
W/o Muachu Mihu

Permanent resident of Village Mayu II
P.O/P.S Roing
Lower Dibang Valley
Arunachal Pradesh

19: Jino Linggi
Age:
Occupation :
S/o Andasi Linggi

Permanent resident of Iphingo village
Roing Circle
Lower Dibang Valley District
Arunachal Pradesh

20: Tiba Mili
Age:
Occupation :

S/o Shri Akhota Mili

Permanent resident of Village Ephingo
P.O/P.S Roing
Lower Dibang Valley District
Arunachal Pradesh

21: Chiko Tapo

Age:

Occupation :

S/o Batu Tapo

Permanent resident of Villae Kebali
Roing
Lower Dibang Valley District
Arunachal Pradesh

22: Demaji Linggi

Age:

Occupation :

S/o Shri Jabonge Linggi

Permanent resident of Village Kebali
Roing
Lower Dibang Valley District
Arunachal Pradesh

23: Dature Miuli

Age:

Occupation :

S/o Shri Yindo Miuli

Permanent resident of Iduli Village
Lower Dibang Valley District
Arunachal Pradesh

24: Ela Linggi

Age:

Occupation :

S/o Shri Enga Linggi

Permanent resident of Ezengo
Roing
Lower Dibang Valley District
Arunachal Pradesh

25: Jumili Elapra

Age:

Occupation :
W/o Shri Ongome Mishu

Permanent resident of Village Iphingo
Roing Circle
Lower Dibang Valley District
Arunachal Pradesh

26: Aja Elapra
Age:
Occupation :
S/o Shri Janu Elapra

Permanent resident of Roing Cheta I
Lower Dibang Valley District
Arunachal Pradesh.

27: Bihani Melo
Age:
Occupation :
S/o Shri Yoge Melo

Permanent resident of Village Iphingo
Roing Circle
P.O/P.S Roing
Lower Dibang Valley District
Arunachal Pradesh

28: Japani Miche
Age:
Occupation :
S/o Shri Akudu Miche

Permanent resident of Village Iphingo 6 Km Point
P.O/P.S Roing
Lower Dibang Valley District
Arunachal Pradesh

29: Ipra Mekola
Age:
Occupation :
S/o Shri Yage Mekola

Permanent resident of Ezengo Village
P.O/P.S Roing
Lower Dibang Valley District
Arunachal Pradesh

30: Azadi Pulu
Age:
Occupation :
S/o Lt. Ahuki Pulu
Permanent resident of Village Mayu II
Roing
Lower Dibang Valley District
Arunachal Pradesh

VERSUS

Smti Saumnya Saurav and 2 Ors.
Deputy Commissioner, Roing, Lower Dibang Valley District 792110 2:Audesh
Kumar Singh
Age: 0
Occupation :
IAS
Secretary
Department of Land Management
GoAP
Civil Secretariat
Itanagar
Arunachal Pradesh

3:Brigadier Arjun Rawat
Age: 0
Occupation :
CE
752 BRTF
HQ 752 BRTF (GREF)
Roing
Lower Dibang Valley District
A.P 79211

Advocate for the Petitioner : k N Maling, Sonam Tsomo, Chanya Bangsia, Ebo Mili, Madan Mili, Aruna Rai, Tapi Nguki, T Siga, Tali Umbey, Sunil Mow

Advocate for the Respondent : Subu Tapin,

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 28.01.2025

Heard Ms. S. Tsomo, learned counsel for the petitioners as well as Mr.

S. Tapin, learned counsel for the respondent no.1.

2. Despite service of notice by dasti, which is recorded in order dated 01.07.2024, the respondent no.2 has not entered appearance and has not filed his affidavit-in-opposition.

3. The learned counsel for the respondent no.1 has submitted that the stand taken in the affidavit-in-opposition by respondent no.1 is that the Court's order dated 10.03.2023, which was received on 13.03.2023, was forwarded to the Land Management Department and a further reminder was also submitted to the Director of Land Management vide letter dated 19.09.2023 and subsequently, detailed status report was submitted to the Director of Land Management on 07.06.2024.

4. Therefore, in view of the specific stand taken by the respondent no.1, the only conclusion that can be drawn is that the respondent no.2, namely, Shri Audesh Kumar Singh, in total disregard and disobedience of the order of the Court, has not complied with the directions of the Court as contained in order dated 10.03.2023, passed in WP(C) 321(AP)/2021, copy of which was duly served on him.

5. In view of the above and in view of the non-representation of the respondent no.2 owing to non-filing of the affidavit-in-opposition, the Court had expressed its intention to hold the respondent no.2 guilty of charges of willful contempt and disobedience of the order of the Court and the Court was inclined to issue notice as to why the respondent no.2 could not be punished with simple imprisonment, which may extend up to 6 (six) months or with fine, which is provided in section 12 of the Contempt of Courts Act.

6. At this stage, the learned counsel for the respondent no.1 prays to

give him 1 (one) week's time to take updated instruction and to inform the Court.

7. In view of the said submission, the Court is reluctantly inclined to adjourn the matter today.

8. List again on 12.02.2025.

JUDGE

Comparing Assistant