

GAHC040003082020



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

**Case No. : WP(C) 107/2020**

1:SONAM GYATSO  
S/O LT. LEIKI DRAKPA MERAKPA, AGED ABOUT 29 YRS. P/R/O DIRANG  
VILLAGE, PO/PD DIRANG DIST. WEST KAMENG,AP. PH.

VERSUS

1:THE STATE OF AP  
REPRESENTED BY THE COMMISSIONER/SECRETARY, LAND  
MANAGEMENT, GOV T. OF AP, ITANAGAR.

2:THE DEPUTY COMMISSIONER  
BOMDILA  
DISTRICT WEST KAMENG  
PO/PS BOMDILA  
AP.

3:THE ADDITIONAL DEPUTY COMMISSIONER  
DIRANG  
DISTRICT WEST KAMENG  
PO/PS DIRANG  
AP.

4:THE UNION OF INDIA  
REPRESENTED BY THE SECRETARY  
MINISTRY OF DEFENSE  
SENA BHAVAN  
GOVT. OF INDIA  
NEW DELHI-110011.

5:THE DIRECTOR GENERAL OF BORDER ROADS

NARAINA  
KIRBY PLACE  
DELHI CANTONMENT  
NEW DELHI  
DELHI-110028

6:THE COMMANDER  
42 BORDER ROADS TASK FORCE (BRTF)  
C/O 99 APO  
HEADQAUTER  
AP.

7:THE OFFICER IN COMMAND  
97 ROAD CONSTRUCTION COMPANY (RCC)  
C/O 99APO  
MUNNA-CAMP  
DIRANG  
AP

**Advocate for the Petitioner** : Binter Picha

**Advocate for the Respondent** : GA

**BEFORE**  
**HONBLE MR. JUSTICE SONGKHUPCHUNG SERTO**

**ORDER**

**Date : 29-05-2020**

Heard Mr. B. Picha, learned counsel for the petitioner and also heard Mr. S. Tapin, learned Senior Government Advocate who appears on behalf of respondent Nos.2 & 3 and Mr. D. Kamduk, learned counsel who appears on behalf of respondent No.1.

It is submitted by the learned counsel for the petitioner that in the year 2012 his land and building situated at Dirang Village in West Kameng District were acquired for construction of Trans Arunachal Highway and he was paid compensation for the same which amounted to Rs. 23,41,580/- but without solatium. As he was not aware, he did not demand the solatium at that time. However, when he came to learn that he was entitled to solatium as per law he submitted a representation

dated 04.10.2018, to the Deputy Commissioner of West Kameng District requesting him to pay him solatium as per his entitlement under law, but the same has not been considered and disposed of till today. Having no choice, the petitioner is here before this Court with a limited prayer for a direction to direct the respondent No.2 to consider his representation and dispose of it at the earliest. The learned counsel further submits that the writ petition may be disposed of by allowing the limited prayer.

Mr. S. Tapin, the learned Senior Government Advocate who appears for the respondent Nos.2 & 3 and Mr. D. Kamduk, learned counsel for respondent No.1 submits that the writ petition may be disposed of as prayed for; however, with an added direction that the same should be done after proper verification to make sure that the representation has not been considered and disposed of earlier.

Considering the facts and circumstances of the case and submissions of the learned counsels appearing for the parties, this Court is of the view that the writ petition can be disposed of in line with the submissions made.

Accordingly, the writ petition is disposed of with a direction that Deputy Commissioner i.e respondent No.2 should consider and dispose of the representation dated 04.10.2018 submitted by the petitioner within 3(three) months from the date of receipt of a copy of this order, in case the same has not been considered and disposed earlier. The petitioner shall submit a copy of this order along with a copy of the representation to the Deputy Commissioner, West Kameng District within a period of 2(two) weeks from today.

**JUDGE**

**Comparing Assistant**