

GAHC040012062024



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

Case No. : WP(C)/407/2024

Tali Yorme and 60 Ors

Son of Shri Tado Yorme, resident of Lipo village, PO and PS Tato, Shi Yomi District,
Arunachal Pradesh 2: Kiran Rinya

Age:

Occupation :

Son of Shri Tachuk Rinya

resident of Tato

PO and PS Tato

Shi Yomi District

Arunachal Pradesh.

3: Chandan Rinya

Age:

Occupation :

Son of Tachuk Rinya

resident of Tato

PO and PS Tato

Shi Yomi District

Arunachal Pradesh.

4: Talam Yorme

Age:

Occupation :

Son of Tado Yorme

resident of Lido village

PO and PS Tato

Shi Yomi District

Arunachal Pradesh.

5: Tapik Hiba

Age:

Occupation :

Son of Late Tami Hiba

resident of Yapo Village
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

6: Sunil Yorme
Age:
Occupation :
Son of Tali Yorme
resident of Hone
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

7: Thomas Yuto
Age:
Occupation :
Son of Tadik Yuto
resident of Hone
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

8: Shankar Rinya
Age:
Occupation :
Son of Late Kadu Rinya
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

9: Miss Mary Kiri
Age:
Occupation :
Daughter of Late Talam Kiri
resident of Irigo Village
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

10: Miss Asang Kiri
Age:
Occupation :
Daughter of Late Talam Kiri
resident of Irigo Village
PO and PS Tato
Shi Yomi District

Arunachal Pradesh.

11: Tamaer Tame

Age:

Occupation :

D/o of Late Talam Kiri

resident of Irigo village

PO and PS Tato

Shi Yomi District

Arunachal Pradesh.

12: Anjan @ Anjom Rinya

Age:

Occupation :

Son of Tachuk Rinya

resident of Tato

PO and PS Tato

Shi Yomi District

Arunachal Pradesh.

13: Smti Yanya Rinya

Age:

Occupation :

Wife of Shankar Rinya

resident of Tato

PO and PS Tato

Shi Yomi District

Arunachal Pradesh.

14: Smti Millo Rinya

Age:

Occupation :

Wife of Chandan Rinya

resident of Tato

PO and PS Tato

Shi Yomi District

Arunachal Pradesh.

15: Lipor Ragyor

Age:

Occupation :

resident of Tato

PO and PS Tato

Shi Yomi District

Arunachal Pradesh.

16: Tajin Ruchi

Age:

Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

17: Lipo Ruchi
Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

18: Nyaga Koje
Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

19: Kumar Ragyor
Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

20: Yane Ragyor
Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

21: Smti Yabor Rakshap
Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

22: Ramesh Ragshap
Age:

Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

23: Smti Yatum Ragshap

Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

24: Smti Jujum Ragshap

Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

25: Miss Juna Ragshap

Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

26: Tasa Rakshap @ Ragshap

Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

27: smti Yaka Jida Mosing

Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

28: Anil Rinya

Age:

Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

29: Joji Rinya

Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

30: Smti Yade Jida Pusang

Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

31: Botha Ragshap

Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

32: Tashak Yorme

Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

33: Smti Yape Jida

Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

34: Smti mane Takshap

Age:

Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

35: TadiK Dupit
Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

36: Tachuk Rida
Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

37: Smti Api Riyang
Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

38: Raju Mosing
Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

39: Smti YAge Puying Hiba
Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

40: Smti Yasha Rakshap
Age:

Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

41: Smti Rati Puchung Hiba

Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

42: John Hiba

Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

43: Tonya Hiba

Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

44: Talong Puying

Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

45: Lipo Talar

Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

46: Tajon Koje

Age:

Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

47: Tako Koje
Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

48: Padu Kiri
Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

49: Tapi Kiri
Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

50: Tachuk Tangu
Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

51: Menon Ragmuk
Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

52: Sumila Ragmuk
Age:

Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

53: Jhonson Ragmuk
Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

54: Tajum Jida
Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

55: Sanu Pinggam
Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

56: Tame Rinya
Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

57: smti Yanya Rinya
Age:
Occupation :
Wife of Kaling Darung
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

58: Jarbum Hiba

Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

59: Roman Hiba
Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

60: Libi Koje
Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh.

61: Raju Kamdong
Age:
Occupation :
resident of Tato
PO and PS Tato
Shi Yomi District
Arunachal Pradesh

VERSUS

The State of AP and 5 Ors
represented by the Chief Secretary, Govt of Arunachal Pradesh, Itanagar. 2:The
Secretary
Age: 0
Occupation :
Land Management
Govt of Arunachal Pradesh
Itanagar.

3:The Director of Land Management
Age: 0
Occupation :
Govt of Arunachal Pradesh
Itanagar.

4:The Deputy Commissioner

Age: 0

Occupation :

Tato

PO and PS Tato

Shi Yomi District

Arunachal Pradesh.

5:The Director General Border Roads

Age: 0

Occupation :

Seema Sadak Bhawan

Ring Road

Naraina

Delhi Cantt

New Delhi 110010

6:The Commanding Officer

Age: 0

Occupation :

92 RCC (GREF) at km 8 Thumbin on Kaying Tato Raod

Siang District

Arunachal Pradesh. 79100

Advocate for the Petitioner : Sunil Mow, Sonam Tsomo,Tado Siga,Chanya Bangsia,Aruna Rai,Reken Ingo

Advocate for the Respondent : GA (AP), Takam Sunil,Marto Kato,DSGI,SC (Land Management),Dugmar Kamduk

B E F O R E

HON'BLE MR. JUSTICE KARDAK ETE

ORDER

30.06.2025

Heard Mr. R. Ingo, learned counsel for the petitioners. Also heard Ms. G. Ete, learned Addl. Sr. Govt. Advocate for State respondent Nos. 1 to 3 and Ms. Y. Gao, learned counsel appearing on behalf of Mr. M. Kato, learned DSGI for respondent Nos. 5 & 6.

2. On the consent of the learned counsel for the parties and with an

agreement that the grievance of the petitioners raised in the present writ petition is covered by the judgment and order dated 14.08.2024 passed in a batch of writ petition leading being WP(C) 3/2023, this present writ petition is heard and disposed of at the motion stage itself.

3. The petitioners, 61 (sixty one) in numbers claim to be the land owners and other assets on the area from Pene village to Tato, are aggrieved by the action of the respondent authorities for non-consideration of the claim of the petitioners for payment of compensation for houses and other assets. The rejection of the claim of the petitioners is on the ground that it violates the Public Notice issued by the Deputy Commissioner, Shi-Yomi dated 29.03.2021, wherein, it was notified that any construction after 31.01.2021 would not be considered while computing the compensation amount.

4. The authorities initiated land acquisition proceeding for construction of road from Pene village to Tato for which a notification was issued on 24.05.2022 by the Deputy Commissioner, Shi-Yomi district under Section 10 of the Balipara/Tirap/Sadiya, Frontier Tract Jhumland Regulation, 1947.

5. It is the contention of the petitioners that since the notification for acquisition of the land was issued on 24.05.2022, the ground of rejection of the claim of the petitioners that a Public Notice was issued on 29.03.2021 is not sustainable, as according to the petitioners any violation of such Public Notice must be anterior and not prior to notification for land acquisition dated 24.05.2022. It is not disputed that the public notification issued by the Deputy Commissioner, Shi-Yomi district was on 29.03.2021 and the notification for acquisition of the land was on 24.05.2022.

6. Having considered the submissions of the learned counsel for the parties and on perusal of the materials available on records including the judgment and order of a Coordinate Bench of this Court dated 14.08.2024, this Court is in complete agreement with the judgment and order dated 14.08.2024 passed by the Coordinate Bench. The learned counsel for the parties are also in agreement with that the judgment and order dated 14.08.2024 is squarely covered the grievances raised by the petitioners in the present petition.

7. In view of above, I am of the view that since the judgment and order dated 14.08.2024 is squarely covered with the case of the petitioners in the present writ petition, I deem it appropriate to dispose of the present writ petition without reiterating the findings of the Coordinate Bench to which this Court is in full agreement. Thus, similar relief be extended to the petitioners as has been granted by this Court to the petitioners of that case vide judgment and order dated 14.08.2024.

8. With the above observation and direction, the present writ petition stands disposed of.

JUDGE

Comparing Assistant