GAHC040007412025

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

Case No. : Review Pet./6/2025

Dor Tsering Merakpa
Son of Late Lobsang Tsering, permanent resident of Dirang Village, PO and PS Dirang, West Kameng District, Arunachal Pradesh 790101

VERSUS

The State of AP and 8 Ors
represented by the Secretary, Land Management, Govt of Arunachal Pradesh, Itanagar
7911112:The Deputy Commissioner
Age: 0
Occupation :
Bomdila
PO and PS Bomdila
West Kameng District
Arunachal Pradesh. 790001

3:The Additional Deputy Commissioner
Age: 0
Occupation :
Dirang
PO and PS Dirang
West Kameng District
Arunachal Pradesh 790101

4:The Chairman
Age: 0
Occupation :
Assessment Board for Chainage 173.450 KM
represented by the Additional Deputy Commissioner
Dirang
West Kameng District
Arunachal Pradesh 790101

5:The District Land Revenue and Settlement Officer
Age: 0
Occupation :
Bomdila
West Kameng District
Arunachal Pradesh 790001

6:The Union of India
Age: 0
Occupation :
represented by the Secretary
Ministry of Defence
Sena Bhavan
Govt of India
New Delhi 110011

7:The Directorate General of Border Roads
Age: 0
Occupation :
Naraina
Kirby Place
Delhi Cantonment
New Delhi 110028

8:The Commander
Age: 0
Occupation :
42 Border Roads Tasks Force
(BRTF)
C/o 99 APO
Headquarter Sapper Camp
Dirang
District West Kameng
Arunachal Pradesh 790101

9:The Officer in Command
Age: 0
Occupation :
97 Road Construction Company (RCC) C/o 99 APO
Munna Camp
Dirang
West Kameng District
Arunachal Pradesh 79010

Advocate for the Petitioner : Binter Picha, Pankaj Borah,Bedanta Kaushik,Tao Tarin,Jumgam Jini

Advocate for the Respondent : GA (AP), KeekeLoya,CGC

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : ***11.06.2026***

Heard Mr. B. Kaushik, learned counsel for the review petitioner, appearing through video conferencing. Also heard Ms. G. Ete, learned Additional Senior Government Advocate, appearing for respondent Nos. 1 to 5 and Mr. K. Loya, learned Central Government Counsel appearing for respondent Nos. 6 to 9.

2. This review application is in respect of the order dated 03.04.2025 passed by this Court in WP(C) No. 72(AP) of 2025. This Court, relying on the instructions contained in letter dated 27.02.2025 issued by the then Additional Deputy Commissioner, Dirang, West Kameng District, Bomdila, the contents whereof were recorded in the said order, held that the writ petition was premature and, accordingly, the writ petition was closed with liberty to the petitioner to approach this Court again.

3. The learned counsel for the petitioner has produced a copy of Notification bearing No. LM-169/2017 dated 09.12.2017 issued by the Secretary (Land Management), Government of Arunachal Pradesh, by virtue of which for the public purpose for Construction of Double Lane on BCT Road (KM 167.000 to KM 174.000; KM 183.000 to KM 195.000 and KM 195.000 to KM 212.000) falling under jurisdiction of Deputy Commissioner, West Kameng District, Bomdila, was acquired under the provisions of Section 10 of the Balipara/Tirap/Sadiya Frontier Tract Jhum Land Regulation, 1947.

4. Therefore, the learned counsel for the petitioner has been able to satisfy the Court that the land of the petitioner, which is stated to be covered by

Chainage No. 173.450 Km, falls within the acquisition made for the road stretch between Km 167.000 and Km 174.000 covered by the Notification dated 09.12.2017.

5. Ms. Ete, learned Additional Senior Government Advocate, has not disputed the said Notification dated 09.12.2017.

6. Accordingly, the petitioner has been able to make out a case for recalling the order dated 03.04.2025 passed by this Court in WP(C) No. 72(AP) of 2025. Resultantly, the proceedings in the said WP(C) No. 72(AP) of 2025 shall stand restored to the file of this Court.

7. Before parting with the record, this Court expresses its utter dissatisfaction and anguish at the false and incorrect communication contained in the letter dated 27.02.2025 issued by the then Additional Deputy Commissioner, Dirang.

8. Accordingly, the said authority is put to notice that in the event no apology is forthcoming from him, wherever he may presently be posted, the Court reserves the right to issue contempt proceedings against the said authority.

9. The review petition stands disposed of.

JUDGE

Comparing Assistant