GAHC020008592026 2026:GAU-NL:550

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

Case No. : WP(C)/200/2026

SHRI PURAKHU ANGAMI
S/O LATE PUHOSA, R/O NEW MINISTERS HILL KOHIMA,
NAGALAND

VERSUS

THE DEPUTY COMMISSIONER, KOHIMA AND ANR
NAGALAND

2:THE REVENUE OFFICER
KOHIMA
NAGALAN

Advocate for the Petitioner : IMKONG JAMIR, AKALI ACHUMI,HUTSU THIRA,JAMES NEWMAI,TAKA KICHU

Advocate for the Respondent : ,

BEFORE
HON'BLE MRS. JUSTICE YARENJUNGLA LONGKUMER

JUDGMENT

Date : 13-10-2026

Heard the learned counsel for the petitioner Mr. Taka Kichu. Also heard Mr. Thiba Phom, learned Government Advocate appearing for the respondent Nos. 1 and 2.

2. The brief facts of the instant case as projected in the writ petition is that the petitioner is the owner of a plot of land bearing patta numbers 2427 (Old) and 1946 (New), situated at AG Colony, Kohima Nagaland.

3. In the year 2008, one Mr. Lezo Kotsuo forcibly trespassed into the petitioner's land and started some construction work and as such, the petitioner made a complaint to the Deputy Commissioner, Kohima basing on which the alleged trespasser was issued a show cause dated 25-03-2008 with a condition to reply within 7 days. Thereafter, vide notice dated 06.05.2008, the Revenue Officer, Kohima directed the alleged trespasser to dismantle his unauthorized construction and not to trespass the petitioner’s land.

Thereafter vide another order No.REV/AG/2008 dated 16.05.2013, the Revenue Officer, Kohima reiterated the earlier letter dated 06.05.2008, and wrote to the alleged trespasser making it clear that the land in dispute falls within the Government acquired land.

4. It is the case of the petitioner that inspite of all such orders, the alleged trespasser still continued the illegal occupation and as such the petitioner wrote to the Deputy Commissioner for intervention basing on which an eviction order No.REV/AG/2008 dated 20.07.2023 was issued by the Revenue Officer, Kohima to the alleged trespasser to vacate the site within 14 days from the date of issue of the order.

5. Since the State respondents did not take any action upon the said Mr. Lezo Kotsuo inspite of the eviction order, the petitioner wrote a representation to the Deputy Commissioner, Kohima on 12.09.2022 praying for restoration of his patta land from the illegal occupation. Basing on the representation of the petitioner, another eviction order

dated 20-07-2023 was issued to the said Mr. Lezo Kotsuo by the Deputy Commissioner and District Magistrate, Kohima. However, the Deputy Commissioner, Kohima by another notice dated 08.07.2024 stayed the eviction notice issued to the said Lezo Kotsuo on the ground that a perusal of the documents showed that there was sufficient grounds for staying the eviction order dated 20-07.2023.

6. It is also the case of the petitioner that the respondent authorities while passing the notice dated 08.07.2024 staying the eviction notice dated 20.07.2023 had not given an opportunity to the petitioner nor proceeded for final settlement/disposal of the matter. As such, the petitioner made another representation dated 12.12.2025 to the Deputy Commissioner Kohima praying for disposal of the earlier representation dated 12.09.2022.

7. The learned counsel for the petitioner submits that in the instant writ petition, the petitioner is confining to the prayer for a direction to the respondents to dispose of the pending representation dated 12.09.2022 by passing a final order.

8. The Government Advocate Mr. Thiba Phom has also submitted that the matter can be disposed of at this stage since the only prayer of the petitioner is for a direction to dispose of his representation dated 12.09.2022.

9. In view of the above facts and circumstances, and in view of the fact that the petitioner's prayer is only for a direction to the state respondents to dispose of his pending representation, the present writ petition is disposed of at the motion stage with a direction to the respondent No.1/Deputy Commissioner, Kohima to finally dispose of the pending

representation of the petitioner dated 12.09.2022 by passing a speaking order within a period of two months from the date of receipt of this order.

10. Before disposing of the said representation, the parties shall be given an opportunity of being heard.

JUDGE

Comparing Assistant