

GAHC030005932019



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

Case No. : Cont.Cas(C)/22/2021

1. C. Hetha and 16 Ors.
S/o C. Pathaw
R/o Tipa V

2: K. Rahmo
R/o Tipa

3: NK Hlychho
Tipa V

4: VT Beirahia
Zyhno/ Zawngling

5: Lalnunthangi
Siaha

VERSUS

1. Subhash Sharma
Secretary
Border Roads Development Board (BRDB) and 9 Ors.
Sena Bhavan B Wing

2:PN Yadav
The Chief Engineer
Border Road Task Force (BRTF)
Project Pushpak GREF
C/o 99 APO
Project Pushpak GREF
C/o 99 APO

3:R. Zarzosanga

Secretary to the Govt of Mizoram
Land Revenue and Settlement Department
Aizawl

4:Kesavan R.
The Deputy Commissioner
Siaha District
Siaha

5:Pheiki Solo
Senior Revenue Officer
Mara Autonomous District Council
Siaha

6:Sh Lalsangliana
Deputy Commissioner
Siaha District

7:Sh SP Kolihey
Chief Engineer
BRTF
Project Pushpak
GREF

8:Sh Lalhmunsanga Hnamte
Deputy Commissioner
Siaha District
Siaha

9:Smt Mazee Khaila
Senior Revenue Officer
Mara Autonomous District Council
Siaha District
Mizoram

10:Sh VL Hruaizela Khiangte
Deputy Commissioner
Siaha District
Mizoram

Advocate for the Petitioner : Ms Dinari T Azyu
Advocate for the Respondent : Ms Zairemsangpuii

B E F O R E
HON'BLE MRS. JUSTICE SHAMIMA JAHAN

24.07.2026

Heard Mr. Victor L. Ralte, learned counsel for the petitioners. Also heard Mr. Daniel Hrahsel, learned counsel appearing on behalf of Mrs. Mary L. Khiangte, learned counsel appearing for respondent Nos. 3, 4, 6 & 10, Ms. Zairemsangpuii, learned counsel appearing for respondent No. 1, 2, 7, Mr. B. Lalramenga, learned counsel appearing for respondent No. 5 and Ms. Gina Vanlalhruii Renthlei, learned counsel appearing on behalf of Mr. P.C. Lalthangmawia, learned counsel appearing for respondent No. 9.

2. This is an application filed under Rule 9 of the Contempt of Court (Gauhati High Court) Rules, 1977 read with Section 12 of the Contempt of Court's Act, 1971 for non-compliance of the Order dated 22.01.2019 passed by this Court in WP(C) No. 138/2018.

3. By the said order, this Court had directed for constitution of a verification team comprising of the following officers:-

- 1) The Deputy Commissioner cum District Collector, Siaha;
- 2) The Senior Revenue Officer, MADC;
- 3) The Chief Engineer, Border Road Task Force, Project
Pushpak, GREF, or his representatives;
- 4) The petitioners or their representatives.

4. The Court had further directed that the said verification team shall convene a

spot verification of the petitioner's land and if it is found that the road connecting Siatlai-Zongling-Khopai-Laki village has been made over the land of the petitioners, the Deputy Commissioner cum District Collector shall send the verification report to other respondents.

5. It is further directed that before the said verification report was sent, the respondent No. 4 i.e. the Deputy Commissioner, Siaha shall take a decision with regard to the land Passes of the petitioners and on finding that the same are valid and heritable, and that the petitioners have a transferable right, a decision would be taken as to whether the Government would acquire the said lands and if the Government decides to acquire the lands of the petitioners, the necessary exercise for the acquisition of land under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 should be conducted.

6. It was also directed that upon completion of exercise under the said Act, 2013 the compensation shall be paid by the respondents within a time frame. It was also directed that if during the verification, it was found that the road is not constructed over the lands of the petitioners, but the lands of the petitioners was simply damaged due to other factors then there would be no requirement to acquire the lands and in the event the petitioners would be at liberty to claim damages before the Civil Court.

7. The learned counsel for the petitioners submits that the verification was conducted after the said order and during the verification, it was found that the lands of the petitioners were used for construction of the road by the respondents and in view of the said order of this Court, the respondents had acquired the lands and as per the provision under the said Act, 2013, the compensation was computed and the Award i.e. Award No. 12/2024 was finalized.

8. The learned counsel for the petitioners has submitted that an intimation was given by the Under Secretary to the Government of Mizoram, Land Revenue &

Settlement Department to the Deputy Commissioner, Siaha District dated 22.12.2025 conveying the approval of the Government in respect of Award No. 12/2024 and it is further stated that by the said Award, an amount of Rs. 65,04,53,808/- inclusive of 2.5% of Administrative Cost for construction of the said road was passed and approved.

9. In the said letter, it was conveyed that determination of the compensation to be given to the owners of the lands were calculated and the said amount mentioned above has been reached. It is also stated therein that the share of the State Government and the Revenue Officer for the administrative cost shall be credited by the District Collector within 7 days from the date of receipt of the said Administrative Cost.

10. The learned counsel as such submits that the compensation amount, out of the said total amount as per the Award No. 12/2024 has been paid to the petitioners in the instant petition and it has been received by all the 17 numbers of the petitioners. As such, he submits that the contempt petition be closed.

11. I have gone through the instant case and the documents available and I have also gone through the letter dated 22.12.2025 and this Court finds that a total amount of Rs.65,04,53,808/- was in fact calculated and Award No. 12/2024 was passed and approved and the said amount is meant for giving compensation to the land owners upon whose lands the road was constructed by the respondents.

12. This Court is also satisfied that the petitioners had received their respective amount from the said Award and as such, this Court finds it fit that the instant contempt petition be closed.

The contempt petition stands closed and disposed of.

JUDGE

Comparing Assistant