

**IN THE COURT OF THE SENIOR CIVIL JUDGE, AIZAWL
DISTRICT, AIZAWL MIZORAM
Title Suit No. 7/1995**

Smt.Biakkungi,
D/o Ruala (L)
Aizawl, Mizoram.Plaintiff.

-Versus-

1. The Chief Engineer, Project Pushpak,
Zemabawk, C/o 99 A.P.O.
 2. The Commander,
36 BRTF, C/o 99 A.P.O.
 3. The Secretary,
Border Roads Development Board,
New Delhi.
 4. The Union of India,
Represented by the Secretary to the Govt. of India,
Ministry of Home Affairs, New Delhi.
 5. The State of Mizoram,
Represented by the Chief Secretary to the
Govt. of Mizoram, Aizawl.
 6. The Secretary to the Govt. of Mizoram,
Land Revenue & Settlement Deptt., Aizawl.
 7. The Director,
Land Revenue & Settlement Deptt.,
Mizoram, Aizawl.
 8. The Administrative Officer,
Kolasib District, Mizoram,
 9. The Deputy Commissioner, Aizawl District,
Mizoram.
- Defendants.

BEFORE
R.VANLAENA, Senior Civil Judge-2

For the Plaintiff	:	Shri W.Sam Joseph, Advocate.
For the Defendants		
No. 1-4	:	Shri S.N.Meitei , Advocate
For the Defendants		
No.5-9	:	Shri R.K.Malsawmkima and Joseph Lalfakawma Asst. Govt. Advocates.

Date of Hearing : 16.08.2012.
 Date of Judgement: 29.08.2012.

JUDGEMENT AND DECREE

The facts of the case leading to the filing of the instant suit as reflected in the plaint may be stated belows :-

The Plaintiff purchased a plot of land in the year 1963 measuring an area of about 1(one) Bigha situated at Kolasib Hmar veng, Kolasib from one Shri R.Thansanga (L) alongwith 30 Orange trees, 5 Jackfruit trees, 7 Mango trees, 10 Guava trees, some bamboo and Zawngtah trees standing on the land. Eventhough the Plaintiff purchased the said plot of land in the year 1963, she did not get the Pass changed in her name till the year 1985. In the year 1985, the Plaintiff applied to the Defendant no.9 for issuance of Settlement Certificate over the said plot of land she had purchased from Shri R.Thansanga (L). After due verification and demarcation, the Plaintiff was issued a Settlement Certificate bearing No.KLB 49 of 1985 for the said land. However in the month of August, 1966, the BRTF personnel had forcibly occupied the Plaintiff's land covered by LSC No.KLB 49 of 1985 and in the process of their occupation, the BRTF destroyed the fruit bearing trees aforementioned and continued staying within the said land without paying any rent for the land and compensation for destruction of those fruit bearing trees. Consequent upon this, the Plaintiff had approached the Defendants no.1,2,7&9 in persons and through written representations for payment of rent by the Defendants no.1-6 to the Plaintiff for occupation of the suit land and for compensation for destruction of those fruit bearing trees, but all in vain.

In pursuant to the representation submitted by the Plaintiff, the Defendant no.9 was kind enough to instruct the SDO Kolasib to conduct joint inspection alongwith the representatives of the BRTF authorities for assessing rent in respect of the Plaintiff's land allegedly occupied by the BRTF personnel i.e. Defendant no.1&2. The monthly rent thus fixed by the Defendant no.9 is Rs.372.50p(Rupees three hundred seventy two and fifty paise) for the land covered by LSC No.KLB 49 of 1985 occupied by the BRTF. As the land had not been acquired by the Government, the Plaintiff is the legal and rightful owner of the suit land. The Plaintiff has been paying taxes for the land till it was collected. The

occupation of the suit land by the BRTF was illegal and unauthorized, hence they are to be evicted. The Plaintiff through her Lawyer issued Notice u/s 80 (2) CPC 1908 to the Defendants. In reply to the said Notice. The cause of action arose in the month of August 1966 and continues till date. The subject matter of the suit is situated at Kolasib Hmar veng which is within the jurisdiction of Aizawl Judicial District. The Plaintiff filed the instant suit bonafide and thus prayed for the following reliefs:-

- a) Let a decree be passed in favour of the Plaintiff declaring that the Permit issued to the BRTF is null and void as the Plaintiff was in possession of valid Pass/Permit/LSC.
- b) Let a decree be passed declaring that the Plaintiff is the legal owner of the land covered by LSC No.KLB 49 of 1985 and the Plaintiff has right and title over the suit land.
- c) Let the rent at the rate of Rs.372.50p(Rupees three hundred seventy two and fifty paise) per month be decreed in favour of the Plaintiff with effect from August 1966 till vacant possession is given to the Plaintiff. The compensation for the crops destroyed at the rate fixed by the Deputy Commissioner, Aizawl District, Aizawl be also decreed in favour of the Plaintiff.
- d) Let a decree be passed ordering the Defendants to give vacant possession of the land covered under LSC No.KLB 49 of 1985 to the Plaintiff. If the Defendants want to acquire the land for public purpose, the Plaintiff be given adequate compensation calculated as per the provisions of Land Acquisition Law.
- e) By way of permanent/mandatory injunction, the Defendants be restrained from erecting any structure within the suit land.
- f) Let the costs of the suit and interest over the sum due to the Plaintiff at the rate of 18% per annum with effect from the amount become due till the payment of is made be decreed in favour of the Plaintiff.
- g) Let a decree be passed in favour of the Plaintiff against the Defendants for any other and further

reliefs to which the Plaintiff is entitled as per law, justice, equity and good conscience.

On the other hand, the Commander, 36 BRTF, GREF submitted written statement on behalf of Defendants no.1-6 contesting the suit that the instant suit is not maintainable in its present form and style. It is bad for non-joinder of necessary parties and mis-joinder of parties and is bad for non-payment of court fees. The suit is barred by limitation. The Plaintiff has no locus standi to file the suit against the answering Defendants. It is not valued properly. Hence the suit may be dismissed.

With regard to the contents of para no.1 of the plaint, the answering Defendants stated that the Plaintiff got her LSC after a period of more than 22 years of getting her house Pass and the Plaintiff has not mentioned the reasons for such delay in getting the LSC. The Plaintiff did not deserve consideration as there was no verification and demarcation of the land covered by LSC No.49 of 1985 which is under occupation of the answering Defendants. The answering Defendants stated that the BRTF was allotted the land under a valid permit for setting up of a roadside camps and the said permit is renewed from time to time. With regard to the para no.4 of the plaint, the Defendant stated that the Land was allotted to the Department (BRTF) by the office of the Mizo District Council, Executive Department and thus the Department is in occupation of the land. It is also submitted that from the discussion held by the Department authorities with the SDO Kolasib that as per prevailing rules and regulations in Mizoram, no private party is entitled to receive any rent or compensation for the land allotted through the Permit issued by the Office of the Mizo District Council, Executive Department and periodically renewed by the State Government. The Area Administrative Officer, Kolasib vide his letter No.KGA.11/70/5 dated 27th Jan 1970 clarified to the Department that no rent or compensation is due to be paid by the Department for the occupation of the land. It is denied that the Plaintiff had approached the Defendants in person and through written representation for assessing rental charges and compensation etc. as alleged by the Plaintiff. It is further stated that the admissibility of any rent or compensation to the Plaintiff does not arise at all. The answering Defendants specifically denied that the BRTF was a party to the joint inspection team for assessing the rent and compensation in respect of the land occupied by the BRTF. The statement made by the Plaintiff in para no.5,6&7 are categorically denied and thus

the Plaintiff cannot claim to be the owner of the land and therefore the question of making any compensation, acquiring the land and rental charges to the Plaintiff does not arise at all. The averments made by the Plaintiff in her plaint para no.8&9 are categorically denied by the Defendants and thus stated that the land occupied by the BRTF cannot be considered and treated as illegal in as much as the Department occupied the land after getting valid Permit issued by the Execution Department of Mizo District Council which was periodically renewed by the Government of Mizoram. The question of obtaining consent from the Plaintiff by the BRTF does not arise at all as the Plaintiff is not entitled to any rent, compensation etc. In reply to the contents of para no 11 of the plaint, the answering Defendants submitted that the demand for rent is not tenable as this has been confirmed by the SDO Kolasib since the suit land was occupied by the BRTF on the strength of Permit no.4 of 1970 which is renewed upto December 1989 or till vacated by the BRTF. As the Plaintiff had not taken timely action for conducting joint verification to the alleged damaged of crops and assessing the amount of compensation thereof, the genuineness of the claim of the Plaintiff for compensation cannot be established at a belated stage. The claim for rent and compensation is untenable by virtue of the order passed by the Government of Mizoram, Revenue Department, vide LRR/8-37/83-85/60 dated 11th Sept 1985 which clearly stated that Permit no.4 of 1970 had been renewed upto 31 December 1989 or whenever they vacate the land. Thus requiring no further renewal.

In the premises aforementioned, and on the factual positions of the case, the Defendants no.1-6 prayed the court to dismiss the present suit with suitable costs.

On behalf of the Defendants no 7-11, (State of Mizoram) the under Secretary to the Government of Mizoram, Revenue Department submitted written statement and contested the instant suit as follows :- The instant suit is not maintainable in its present form and style. The Plaintiff has no locus standi to filed the suit and there is no cause of action in favour of the Plaintiff and against the Defendants. It is bad for non-joinder and mis-joinder of parties. It is barred by principle of estoppels, limitation, waiver and acquiescence. It is liable to be dismissed for non-payment of court fees. Notice u/s 80(2) CPC 1908 had not been served upon all the Defendants.

Objection on merit

That with regard to the contents of the para no.1 of the plaint, the Defendants no.7-9 submitted that it is absurd that the Plaintiff purchased a plot of land from Shri R.Thansanga in the year 1963 i.e. 9 years before Shri R.Thansanga obtained his Permit No.10 of 1972 for the land which was later converted into LSC No.KLB 49 of 1985 change of name in the Permit from Shri R.Thansanga to the present Plaintiff took place only in the year 1985 which clearly indicated that the Plaintiff is not interested in developing her land and the question of alleged growing/planting of cash crops over the land does not arise at all. With regard to the para no.2 of the plaint, the Defendants no.7-9 submitted to show that the Plaintiff had applied to the Defendant no.9 (Director, Land Revenue & Settlement Deptt.) for issuance of the LSC. The only record available is the report of Shri Chhuanmawia Surveyor, in which it was mentioned that he was instructed by the Asst. Settlement Officer, (Shri C.Kamlova by name) who was the husband of the Plaintiff and the surveyor did not mention the order number in his report. This clearly shows that the LSC No.KLB 49 of 1985 had been obtained by fraud and misrepresentation and by violating the existing rules and procedures. As such the said LSC No.KLB 49 of 1985 is liable to be cancelled/transferred. The averments in para no.3-9 of the plaint are denied. The averments in para no.10 of the plaint is wrong and denied. No notice u/s 80 (2) CPC had been received by the answering Defendants. As there was no cause of action in favour of the Plaintiff and against the Defendants, the question of payment of compensation for the trees and plants to the Plaintiff does not arise at all. The answering Defendants stated that Temporary Permit was issued to the BRTF by the answering Defendants in view of development aspect of the State and there is no reason as to why the said Temporary Permit which is validated from time to time to be declared null and void. The BRTF occupied the suit land much prior to the issuance of Permit No.10 of 1972 from which LSC No.KLB 49 of 1985 in favour of the Plaintiff was issued and the BRTF had a valid Permit extended from time to time. Assuming but not admitting that the LSC No.KLB 49 of 1985 is valid, payment of rent at a rate of Rs.372.50p per month w.e.f. August 1966 i.e. much prior to the issuance of either Permit No.10 of 1972 or LSC No.KLB 49 of 1985 is out of question and the Plaintiff cannot claim any right/title and interest whatsoever in respect of the suit land under any provision of the law or under any circumstances. The Defendants no.7-9 stated that the LSC No.KLB 49 of 1985 was issued in the name of Pi Biakkungi D/o Thanruala

(L) Kolasib Hmar veng and not to Pi Biakkungi D/o Ruala (L) Thakthing. Hence the suit is liable to be dismissed for non-joinder/mis-joinder of parties. The answering Defendants stated that as the Plaintiff has no right, title and interest over the suit land, and is not entitled to the relief claimed. Hence the suit is liable to be dismissed with exemplary costs.

In view of the facts and circumstances stated above, the Defendants prayed the court to dismiss the suit with costs.

On the basis of the pleadings of the parties, the court framed the following issues on 25.05.2009.

- 1) Whether the suit is maintainable in the present form and style ?
- 2) Whether the land documents of the Plaintiff in respect of the suit land are valid documents ?
- 3) Whether the Defendants no.1-6 (UOI) is occupying the suit land. If so legally or illegally ?
- 4) Whether the allotment of the suit land to the Defendants no.1-6(UOI) by the State Government is valid or not ?
- 5) Whether any assessment of compensation/rents in respect of the occupation of the suit land by the Defendants no.1-6 (UOI) has been made ? If so, to what extent ?

The Plaintiff examined three witnesses including herself. The Defendants no.1-6 examined two witnesses while the Defendants no.7-9 (State of Mizoram) examined no witness.

Issue no.1: Whether the suit is maintainable in its present form and style ? Regarding maintainability of the suit, the issue in respect of this had been taken up on 27.04.1998 and discussed in presence of all the counsels for the parties. After hearing all the Ld. counsels for the parties, the court had on finding a prima facie case in favour of the Plaintiff decided to maintain the suit in its present form and style and thus maintained. It is not necessary to discuss the issue at this stage as it had already discussed, decided and maintained by the court in favour of the Plaintiff. Hence I find no reason to raise it again.

Issue no.2: Whether the Land documents of the Plaintiff in respect of the suit land are valid ? In her deposition, the Plaintiff stated that she purchased a plot of land from Shri R.Thansanga located at Kolasib Hmar veng in the year 1963 but she got the Pass changed in her name only in the year 1985 in which year itself she had applied to the Director, Land Revenue & Settlement for the same. PW 2 namely Shri Chhuanmawia stated that he surveyed and demarcated the land, prepared the sketch map of the land and made of boundary description. On the basis of which the LSC No.KLB 49 of 1985 was issued to the Plaintiff by slicing out of a portion of land belonging to Shri R.Thansanga which was covered by Pass No.10 of 1972. PW 2 was a surveyor posted at Kolasib at the relevant time. In his cross examination, he deposed that he conducted the survey and demarcation of the land on the basis of the order of Shri C.Kamlova, Asstt. Settlement Office-II working in the Office of Director of Revenue, Aizawl. He added that at the time of the survey, he was alone and did not give information to the BRTF authorities. He also stated that he did not think that it is necessary to inform the BRTF authorities.

On perusal of the evidences adduced by the Defendants no.1-6, I did not find any rebuttal evidence with regard to the validity of the Land documents of the Plaintiff. The Defendants no.7-9 (State of Mizoram) stated in their written statement that the LSC No.KLB 49 of 1985 was obtained by the Plaintiff by means of fraud and misrepresentation as there was no approval from the Government for the said LSC. However to substantiate and to proof the contentions of the said Defendants, there was no whatsoever evidence on record as the said Defendants did not turn up before the court to adduce their evidence. As the Defendants no.7-9 failed to give their evidence before the court to rebut the claim of the Plaintiff that she was issued LSC No.KLB 49 of 1985, this court has been compelled to presume that the said LSC was issued with the approval of the concerned authority. Hence the court holds that the Land documents of the Plaintiff in respect of the suit land are valid and thus issue no.2 is decided in favour of the Plaintiff.

Issue No.3: whether the Defendants no.1-6 (Union of India & others) is occupying the suit land ? If so legally or illegally ? The Plaintiff in her deposition before the court stated that the BRTF personnel occupied the suit land from the month of August 1966 without obtaining consent from her as she is the legal owner of the suit land. On the other hand the DW 1 & 2 stated that the BRTF

personnel occupied the suit land on the strength of the Department Permit no.4 of 1970 issued to them by the Government of Mizoram. The said Department Pass/Permit was produced before the court and was marked as Exhibit D-I but was objected to by the Plaintiff's counsel as it was not an original copy. The Plaintiff claimed that she purchased the suit land in the year 1963 from one Shri R.Thansanga alongwith some fruit bearing trees. However the BRTF occupied the suit land in the month of August 1966. She obtained the LSC No.KLB 49 of 1985 in the year 1985 after having due demarcation of the land. On perusal of all the evidences on record, it is evident that the BRTF occupied the suit land since the month of May 1967 till date. As the suit land was occupied by the BRTF without prior permission from the owner of the land, the occupation was illegal. Hence this issue no.3 is decided in favour of the Plaintiff.

Issue No.4: Whether the allotment of the suit land to the Defendants no.1-6 by the Government of Mizoram was valid or not ? In their depositions, DW 1&2 stated that the Government of Mizoram had issued a Permit No.4 of 1970 in respect of the suit land to enable to BRTF to establish roadside camps and a photo copy of the said Permit was produced before the court and marked as Exhibit –D-2. On perusal of the said Permit, it is found that the said Permit has no basis of law under which it was issued. The said Permit appeared to have been issued by the Revenue Department by exercising its executive power. It is not mentioned under what provisions of law the said Permit was issued. In order to treat the said Permit as valid one, it should have been issued under a provision of law. As the said Permit appeared to be issued as a mere order of the Revenue Department, it has no force of law. Hence this issue is decided in favour of the Plaintiff holding that the said Permit is not a valid Permit.

Issue No.5: Whether any assessment of compensation/rents in respect of the occupation of the suit land by the Defendants no.1-6 (BRTF) has been made ? If so, are they valid ? The Plaintiff stated in her deposition that the Deputy Commissioner, Aizawl District, Aizawl (Defendant no.9) instructed the SDO Kolasib to conduct joint verification for assessing rents and compensation for her land occupied by BRTF and for compensation for damage crops. As per the assessment report, the rate of land rent was Rs.372.50p per month for the land covered by LSC No.KLB 49 of 1985. The Plaintiff exhibited the copy of assessment report of rental charges and compensation as exhibit-P-7 vide letter

No.F.14011/2/85 (A)/112 dated Aizawl the 20th November 1985 without objection from the Defendants. As the said document is not objected to by the rival party, it should be given weightage. In this connection, it may be pointed out the case decided by the Hon'ble Supreme Court of India and the Hon'ble Orissa High Court in **Sitaram Motilal Kalal, Appellant, -Vs-Santanuprasad Jaishanker Bhatt, Respondent, AIR 1966 SC 1697; (1966) 1 SCWR 974. The Hon'ble Supreme Court of India has held that "Admissions of documents means admission of facts contained in the documents". And in the case of Budhi Mahal-Vs-Gangadhar , 46 Cut LT 287: It was decided that when a document has been admitted without objection, it means entire contents thereof are admitted "**. By applying the decisions of the Hon'ble Supreme Court of India (Supra) this court decided the issue no.5 in favour of the Plaintiff holding that the assessment report made by the Deputy Commissioner, Aizawl District, Aizawl was valid.

Issue no.6: Whether the Plaintiff is entitled to the relief claimed ? If so to what extent and from whom ? All the other issues have been decided in favour of the Plaintiff. Issue no.6 does not seem to pose obstacle in granting relief to the Plaintiff. In her plaint, the Plaintiff stated that she purchased a plot of land from Shri R.Thansanga in the year 1963 which was located at Kolasib Hmar veng, Kolasib. But the said plot of land was occupied by the BRTF personnel since August 1966 without paying to her rental charges for the land and compensation for the fruit crops destroyed by the BRTF in the process of their occupation. The BRTF till date occupied the land for which she had been paying taxes till it was collected. The Plaintiff, in support of her claim, she exhibited the following documents :-

- 1) Exhibit –P-I is the copy of LSC No.KLB 49 of 1985.
- 2) Exhibit –P-I (a) is the copy of boundary disruption of the land.
- 3) Exhibit –P-I(b) is the sketch map.
- 4) Exhibit –P-2 is No Objection Certificate.
- 5) Exhibit –P-3 is Tax clearance Certificate and the same had been compared with original and found correct.
- 6) Exhibit –P-4 is land valuation Certificate.
- 7) Exhibit –P-5 is Tax Paid Receipt dated 10.10.95.

- 8) Exhibit –P-6 is the claim petition sent to the DC.
- 9) Exhibit –P-7 is the letter sent to the Chief Engineer, Project Pushpak by the ADC, Land and Building.
- 10) Exhibit –P-8 is the copy of Notice u/s 80(2) CPC.
- 11) Exhibit –P-9 is the copy of reply to the said Notice sent by the Chief Engineer, Project Pushpak.
- 12) Exhibit –P-10 is the copy of latest tax paid receipt.

On the other hand, the Defendants No.1-6 (BRTF & Union of India) contested the suit and deposed the evidence in which the BRTF occupied the suit land in the month of May 1967 on the strength of Departmental Pass/Permit No.4 of 1970 issued to them by the Executive Department of the then Mizo District Council and the said Pass/Permit was extended from time to time by the Revenue Department, Government of Mizoram upto 31 December 1989 or till the BRTF vacated the suit land. In support of their contention, the following documents were exhibited by the BRTF :-

Exhibit D-1 is the photo copy of the said Departmental Pass No.4 of 1970 issued by the Executive Department of the Mizo District Council dated 23rd Sept 1970. The copy is compared with authenticated copy.

Exhibit-D-2 is a copy of ORDER dated 25th April 1977 issued by the Revenue Department of Government of Mizoram by which the said Departmental Pass No.4 of 1970 area of camp site was extended. This copy was compared with authenticated copy.

Exhibit-D-3 is the photo copy of the order of the Government of Mizoram, Revenue Department by which the term of the Departmental Pass No.4 of 1970 was extended upto 31st December 1979.

Exhibit –D-4 is the photo copy compared with authenticated copy of the boundary description of BRTF Camp site at Kolasib.

Exhibit-D-5 is the photo copy compared with authenticated copy of an order by which the validity of Pass No.4 of 1970 was extended upto 31st December 1989 or whenever the BRTF vacate the lands.

Exhibit-D-6 is the photo copy compared with authenticated copy of a letter titled-“Claims for Rental Charges/crops damaged compensation” dated 03 March 1986 from the EE(Civil) BRTF to the Deputy Commissioner, Aizawl District, Aizawl.

Exhibit-D-7 is the photo copy compared with authenticated copy of a letter from the SDO Kolasib to the Deputy Commissioner, Aizawl District, Aizawl regarding Rental charges claimed by Shri JF Manliana & others. On careful perusal of the Exhibit-D-I it clearly indicated that the Executive Committee of the Mizoram District Council issued the Pass No.4 of 1970 to the BRTF purely on temporary basis without identifying the exact location/site for settlement of the BRTF. It authorized the BRTF to select the location of the site and further authorized the President of Village Council to take up compensation arising thereof if any, on behalf of the Mizo District Council and to report the same to the Revenue Officer, Mizo District Council in detail. It appeared that the Mizo District Council perfunctorily issued the Pass No.4 of 1970 to the BRTF without any basis of Act. As there was no clear identification of the exact location of the site to be occupied by the BRTF, the said Pass No.4 of 1970 cannot be admitted as a valid Pass. At the time of issuing the said Pass, the Mizo District Council seemed to have had a knowledge that the BRTF would occupy a land already in possession of other person. As the said Pass no.4 of 1970 appeared to have been issued without any basis of any Act or Rules, it has no force of law. Hence the Plaintiff would be entitled to the relief claimed. As the suit land had been actually occupied by the BRTF, it was the BRTF who had enjoyed the benefit and utility arising therefrom without interruption from others for such long period of time till date. It is therefore held that the Plaintiff would be entitled to receive the relief she claimed from the BRTF

(Defendants no.1-6) Hence this issue no.6 is decided in favour of the Plaintiff. However the relief granted to the Plaintiff would be confined only to serial no.(a) (b)(c) & (d) of the prayer of the Plaintiff.

Having finally decided the suit, it is hereby decreed accordingly as follow :-

- a) It is hereby declared that the Department Pass No.4 of 1970 issued to the BRTF is null and void.
- b) It is declared that the Plaintiff is the legal owner of the land covered by LSC No.KLB 49 of 1985 and she has right and title over the land.
- c) The Defendants no.1-6 (BRTF) are hereby directed to pay land rental charges for illegal occupation of the land covered by LSC No.49 of 1985 belonging to the Plaintiff at the rate of Rs.372.50p(Rupees three hundred seventy two and fifty paise) only with interest at the rate of 6% per annum w.e.f.May 1967 till full realization of the total amount and further sum of Rs.10,000/- (Rupees ten thousand) only as compensation for damaged crops to the Plaintiff within a period of three months from the date of this decree.
- d) The Defendants no.1-6 (BRTF) are hereby directed to vacate the suit land and give vacant possession to the Plaintiff within a period of three months from the date of this order.

Parties are to bear their own costs.

The suit having been decreed as above is hereby disposed of.

Pronounced in open court in presence of parties.

Sd/-R.VANLALENA
Senior Civil Judge – II
Aizawl District : Aizawl.

Memo No. /SCJ-II(A)/2012:Dated Aizawl the, 29th August, 2012.

Copy to:

1. The District and Sessions Judge, Aizawl District, Aizawl, Mizoram for information.
2. Smt. Biakkungi D/o Ruala (L) Aizawl, Mizoram through Shri W.Sam Joseph & Ors, Advocates.
3. The Chief Engineer, Project Pushpak, Zemabawk, C/o 99 A.P.O. through counsel Shri S.N.Meitei.
4. The Commander, 36 BRTF C/o 99 A.P.O. through counsel Shri S.N.Meitei.
5. The Secretary, Border Roads Development Board, New Delhi through counsel Shri S.N.Meitei.
6. The Union of India, Represented by the Secretary to the Govt. of India, Ministry of Home Affairs, New Delhi through counsel Shri S.N.Meitei.
7. The State of Mizoram, Represented by the Chief Secretary to the Govt. of Mizoram, Aizawl through Asst. Govt. Advocates.
8. The Secretary to the Govt. of Mizoram, Land Revenue & Settlement Deptt., Aizawl through Asst. Govt. Advocates.
9. The Director, Land Revenue & Settlement Deptt., Mizoram, Aizawl through Asst. Govt. Advocates.
10. The Administrative Officer, Kolasib District, Mizoram, through Asst. Govt. Advocates.
11. The Deputy Commissioner, Aizawl District, Mizoram through Asst. Govt. Advocates.
12. Shri R.K.Malsawmkima and Shri Joseph Lalfakawma, Assistant Govt. Advocates.
13. Registry Section.
14. Case record.

PESHKAR