

IN THE COURT OF SENIOR CIVIL JUDGE- 2 AIZAWL DISTRICT: AIZAWL, MIZORAM

TITLE SUIT NO. 01 OF 2007

Plaintiff:

Mr. R. Lalhmuaka
S/o Rohmingliana
Vengthar- Darlawn
Aizawl District

By Advocates

: 1. Mr. C. Lalramzauva, Sr. Adv.
2. Mr. A. Rinliana Malhotra, Adv.

Versus

Defendants:

1. Smt. Laltlanliani
Ex-wife of Mr. R. Lalhmuaka
Darlawn (Block Veng)
Aizawl District- Mizoram
2. The State of Mizoram
Through the Secretary to the Govt. of Mizoram
Revenue Department
3. The Director
Land Revenue and Settlement Department
Govt. of Mizoram
4. The ASO- I
Aizawl District: Aizawl

By Advocates

:

For the defendant's 1

: 1. Mr. H. Laltanpuia, Adv.
2. Mr. Saihmingliana Sailo, Adv.

For the defendants 2-4

: 1. Mr. R. Lalremruata, AGA
2. Miss Bobita Lalhmingmawii, AGA

Date of Arguments : 28-07-2011

Date of Judgment & Order : 01-08-2011

BEFORE

Dr. H.T.C. LALRINCHHANA, Sr. CJ- 2

JUDGMENT & ORDER

BRIEF STORY OF THE CASE

The plaintiff in his plaint submitted that he is originally Nepali Community and migrated into Mizoram during 1975 and started living at Darlawn till date and engaging him as Manual labour. By accepting and

diluted in Mizo customs, practices and as accepted by the community, he converted into Mizo community by way of 'Mizo Saphun' by executing Affidavit Dt. 22/4/1998 and issued EPIC under No. KDJ 0034454 at the behest of Darlawn. In 1988, the plaintiff married the defendant no. 1 and solemnized the same in 1990. In 1994, the plaintiff had purchased a land from one Mr. Vanlalruata at Rs. 8000/- and also bought another adjoining land at Rs. 1000/- from Mr. Thanghrima (L) and he constructed Assam type building in the suit land. Prior to 1999 when Darlawn is notified town, the village council were competent to allot house site. The plaintiff being breadwinner, during his absence for jhum land, the defendants 2, 3 and 4 conducted Cadastral Survey at Darlawn, wherein, LSC No. 102501/01/1985 of 1999 was issued in the name of the defendant no. 1 being the wife of the plaintiff and available in the locality at the time of cadastral surveyed. Later on 30/7/2005, the plaintiff was divorced by the defendant no. 1 by way of 'Sumchhuah'. Wherein, the defendant no. 1 taken moveable properties equivalent to Rs. 11,000/-. The defendant no. 1 thereby left the suit land and the plaintiff. As applied to defendant no. 3, the said LSC was mutated in the name of the plaintiff. After that as complaint preferred by the defendant no. 1, it was again put in the name of the plaintiff. The plaintiff was rather informed to vacate the suit land. Court fees at Rs. 30/- is also paid. Thus, the plaintiff prayed that- (i) a decree in favour of the plaintiff and against the defendants declaring the plaintiff is the rightful owner of the suit land (ii) a decree declaring that the LSC No. 102501/01/1985 of 1999 issued in the name of defendant no. 1 by the defendants 3&4 over the suit land is illegal and without authority and the said LSC is to be taken or considered as having been issued in the name of the plaintiff or to make necessary correction of the holder of the said LSC in favour of the plaintiff (iii) for a permanent and mandatory injunction against the defendants directing them not to disturb the peaceful possession of the suit land by the plaintiff (iv) costs of the suit and any other relief which this court deem fit and proper.

The defendant no. 1 in her written statements submitted that the suit is bad for lack of requisite court fees and is not maintainable in its present form and style. The plaintiff did not have any cause of action. Being Nepali community, the plaintiff did not have any right to sue as per the Mizo District (Transfer of Land) Act, 1963. More so, Mizo customary laws did not permit to practice proselyte by the other community like Nepali except sub-tribe or clans in Mizo community. The plaintiff rather by way of 'Luhkhung' lived with the defendant no. 1 not proper marriage and having no rights to claim as husband. The defendant no. 1 rather purchased the suit land from Mr. Vanlalruata, thus, in the no-objection certificate for issuance of the disputed LSC, the said Mr. Vanlaruata and the concerned VCP also appended their signatures. Even prior to 1999, the village council did not allot any land to the plaintiff. At the time of cadastral survey was done, the plaintiff was also present on the spot and with the consent and permission of the plaintiff, the suit LSC was issued in the name of the defendant no. 1. EPIC alone is not sufficient to declare the plaintiff as mizo community, mutation of the suit LSC in the name of the plaintiff is illegal without the permission of the true owner and the order of defendants 2-4 for re-transfer in the name of the defendant no. 1 is correct. Thus, prayed to dismiss of the suit.

The defendants 2, 3 and 4 in their written statements submitted that the suit is bad for lack of requisite court fees and is not maintainable in its present form and style. The plaintiff did not have any cause of action. They further contended that the Revenue Department mistakenly transferred ownership of the suit land in favour of the plaintiff. As no land can be

mutated/transfer without the permission of the pass holder, correction was made as complaint by the defendant no. 1. They therefore prayed to dismiss of the suit due to laches and lack of merit.

ISSUES

The following issues were framed on 26/7/2007 and by virtue of O. XIV, R. 5 of the CPC, the issues were slightly amended and the amended form of issues are as follows -

1. Whether the suit is maintainable or not
2. Whether the suit is barred by law of limitation, doctrine of estoppels and acquiescence.
3. Whether the plaintiff has cause of action or not
4. Whether the suit is bad for insufficient requisite court fees
5. Whether the plaintiff is a Mizo tribal or not for claiming the suit land.
6. Whether the suit land in dispute was purchased by the plaintiff. If so, whether the same belonging to the plaintiff or the defendant no. 1
7. Whether the LSC No. 102501/01/1985 of 1999 was rightly/duly issued in the name of the defendant no. 1
8. Whether the plaintiff is entitled to the relief claimed or not.

BRIEF ACCOUNT OF EVIDENCE

For the plaintiff:

The plaintiff has produced the following witnesses namely-

1. Mr. R. Lalhmuaka S/o Rohmingliana, Vengthar- Darlawn (Hereinafter referred to as PW-1)
2. Mr. Vanlalruata S/o Thangluaia (L), Darlawn Vengthar, Aizawl District (Hereinafter referred to as PW-2)
3. Mr. C. Lianhlira S/o Rotluanga, Darlawn Vengpui, Aizawl District (Hereinafter referred to as PW-3)

The **PW- 1** merely reiterated the contents of the plaint being the plaintiff in his examination in chief, he further deposed that-

Ext. P- 1 is 'Inhmun Inleina Lehkha' Dt. 10.7.1994

Ext. P-2 is Affidavit Dt. 22.4.1998 duly sworn by the plaintiff

Ext. P- 3 is EPIC of the plaintiff

Ext. P-4 is a copy of LSC No. 102501/01/1985 of 1999

Ext. P-5 is Acknowledgement of the concerned YMA dt. 15/12/2005

Ext. P-6 is Acknowledgement of the concerned VCP dt. 15/12/2005

Ext. P-7 is a copy of letter sent to the plaintiff by ASO-II, Aizawl dt. 9th Dec., 2005

Ext. P-8 is a copy of letter sent to the plaintiff by ASO-II, Aizawl dt. 20th Nov., 2006

Ext. P-9 is representation submitted to Director, LR&S by the plaintiff

Ext. P-10 is Eviction letter dt. 30/12/2006 issued by the defendant no. 1 to the plaintiff.

In his cross examination, he deposed and admitted that Nepali community can not join Mizo community by way of Saphun, he did not see any pass issued in favour of Mr. Vanlalruat from whom he purchased the land. He denied that he married with the defendant no. 1 by way of 'Luhkhung'.

In his re-examination, he deposed that before 1975 when he migrated into Mizoram, he was in Nepal

The **PW- 2** in his examination in chief deposed that he sold his land to the plaintiff on 10/7/1994 in consideration of Rs. 8000/- with payment of the same. During the absence of the plaintiff, the cadastral survey team had conducted surveyed of the suit land for issuance of LSC. As divorced by way of 'Sumchhuah', the defendant no. 1 left the plaintiff during 2005 but the plaintiff remain occupied the suit land in his own building.

In his cross examination, he further deposed that the plaintiff is migrated into Darlawn during 1975-78 and he is belonging to Nepali. During transfer of his land to the plaintiff, the defendant no. 1 was also present.

The **PW-3** in his examination in chief deposed that before the plaintiff married with the defendant no. 1, the defendant no. 1 married with Mr. Ngura by having two children. After their marriage, they occupied a rented house for a long time and acquired the suit land by purchasing from Mr. Vanlalruata from their contribution. He further witnessed that at the time of taking dowry/properties of the defendant no. 1 after divorce, the plaintiff allowed her to take other properties other than her own dowry for necessity. Their divorce was by way of 'Sumchhuah'. Ext. P- 5 (a) is his true signature.

In his cross examination, he deposed that he did not know that in whose belongings the suit land was purchased and entered as witness as requested by the plaintiff.

For the defendants 2-4:

The defendants 2-4 produced only one namely- Mr. K. Lalhmuakliana, Assistant Director, Land Revenue and Settlement Department, Govt. of Mizoram (Hereinafter referred to as **DW**). In his examination in chief, he deposed that the Revenue Department mistakenly transferred ownership of the suit land in favour of the plaintiff. As no land can be mutated/transfer without the permission of the pass holder, correction was made as complaint by the defendant no. 1.

In his cross examination, he deposed that in their written statement, a copy of complaint preferred by the defendant no. 1 was no enclosed. No show cause notice was also issued to the plaintiff for making correction of the suit LSC in the name of the defendant no.1.

The defendant no. 1 failed to adduce her evidence in the proceedings. Although the defendant no. 1 failed to produce her evidence if any, I am satisfied with that the truth which enveloped the crux is satisfactorily disclosed by evidence of other parties to adjudicate the suit on merit for handling the rival points confidently.

POINTS OF RIVALRY

Mr. C. Lalramzauva, learned senior counsel for the plaintiff after revealing the averments in the plaint and brief story of the case submitted that the plaintiff is entitled to hold the suit LSC as he himself is now in Mizo community. If not, no chance was given to him for applying issuance of LSC in his name as non-tribal to the government.

Learned AGA merely reiterated their stand in their written statements at the time of oral arguments.

Mr. Saihmingliana Sailo, learned counsel for the defendant no. 1 after reiterating their objections in their written statements making reliance in the observations of Hon'ble Gauhati High Court in the case of **Smt. Romawii Vs. Shri. Hrangthanglura** in RSA No. 4 of 2005 decided on 03/08/2005 which upheld that LSC once issued cannot be mutated in others name without the consent of the holder. He further argued that being a non-tribal of the plaintiff, allotment of land is not permissible without prior permission of the government.

FINDINGS

Issue No. 1 Maintainability of the suit

The plaint if property drafted, accompanied by Verification and Affidavit duly signed and sworn by the plaintiff. Meanwhile, reliance may be taken in the case of **State Of M.P. vs Mangilal Sharma** decided on 18 December, 1997 reported in AIR 1998 SC 743, 1998 (1) ALT 11 SC, 1998 (1) CTC 271, the Apex Court has observed that-

“...6. A declaratory decree merely declares the right of the decree holder vis-a-vis the judgment debtor and does not in terms direct the judgment debtor to do or refrain from doing any particular act or thing. Since in the present case decree does not direct reinstatement or payment of arrears of salary the executing court could not issue any process for the purpose as that would be going outside or beyond the decree. Respondent as a decree holder was free to seek his remedy for arrears of salary in the suit for declaration. The executing court has no jurisdiction to direct payment of salary or grant any other consequential relief which does not flow directly and necessarily from the declaratory decree. It is not that if in a suit for declaration where the plaintiff is able to seek further relief he must seek that relief though he may not be in need of that further relief. In the present suit the plaintiff while seeking relief of declaration would certainly have asked for other reliefs like the reinstatement, arrears of salary and consequential benefits. He was however, satisfied with a relief of declaration knowing that the Government would honour the decree and would reinstate him...”

Whether consequential relief is prayed in the suit or not is clearly elicited by the prayer nos (ii) to (iv) viz. (ii) a decree declaring that the LSC No. 102501/01/1985 of 1999 issued in the name of defendant no. 1 by the defendants 3&4 over the suit land is illegal and without authority and the said LSC is to be taken or considered as having been issued in the name of the plaintiff or to make necessary correction of the holder of the said LSC in favour of the plaintiff (iii) for a permanent and mandatory injunction against the defendants directing them not to disturb the peaceful possession of the suit land by the plaintiff (iv) costs of the suit and any other relief which this court deem fit and proper. Very clear that the suit is beyond the scope of Section 17 (iii) of the Court Fees (Mizoram Amendment) Act, 1996 requiring ad-valorem court fees exceeding Rs. 30/-. In short, there is insufficiency of requisite court fees in the suit.

Issue No. 2 Barring of the suit by law of limitation, doctrine of estoppels and acquiescence

During the process of trial, till arguments, no points and issues on law of limitation, estoppels and acquiescence if heard from parties. Although framing on the issue, it may not be necessary to enter into minutes.

Issue No. 3 **Cause of action**

In the admitted facts, the plaintiff being the head of family purchased the suit land but subscribed in the name of the defendant no. 1 who is the wife of the plaintiff at that time but later divorced on 'Sumchhuah' (Divorced by wife) and the defendant no. 1 left the suit land/property and the plaintiff must have cause of action in the instant suit but subject to the findings under issue no. 5.

Issue No. 4 **Requisite court fees**

As already decided under issue no. 1 observing that there is insufficiency of requisite court fees in the suit, it is no need to deal the matter again.

Issue No. 5 **Whether the plaintiff is a Mizo tribal or not for claiming the suit land.**

The plaintiff by way of swearing affidavit tried to convert into Mizo community under the so-called 'Saphun' within the ambit of Mizo customary law whilst he is belonging to Nepali community migrated into Mizoram during 1975.

The first easy answer is that being non-Mizo like Nepali, Mizo customs/customary laws like 'Saphun' is not applicable to the plaintiff as held by the Hon'ble Apex Court in the case of **Salekh Chand (Dead) by Lrs Vs. Satya Gupta and Ors.** (2008) 13 SCC 119, it was held as-

"A custom may be proved by general evidence as to its existence by members of the tribe or family who would naturally be cognizant of its existence, and its exercise without controversy, and such evidence may be safely acted on when it is supported by a public record of custom."

In short, as per Mizo customary law of 'Saphun', the plaintiff is not entitled to convert into Mizo.

Pertinently, recently on Dt. 27th April, 2011, Office Memorandum in respect of 'Guidelines for issue of Residential Certificate' was issued under Memo No. A. 14015/1/2010-HM, the 27th April, 2011 Vide, the Mizoram Gazette, Ext. Ordinary, Vol. XL, 5.5.2011, Issue No. 195, wherein, all foreigners including Nepalis who had their domicile in any parts of India prior to 15.8.1948 as required under Article 5 of the Constitution of India and who have continuously resided in Mizoram since 1950 and their direct descendants are eligible to obtain 'Permanent Residential Certificate', the ratio also indicates that Nepali person like the plaintiff who migrated into India in 1975 as he himself deposed as PW- 1 can not be termed as indigenous residents of Mizoram. The argument advanced by Mr. Saihmingliana Sailo saying that Electors Photo Identity Card (EPIC) is immaterial to show the plaintiff is belonging to Mizo community is true and correct as settled by the Hon'ble Gauhati High Court in the case of **Mustt Sarabari Begum @ Syera vs State Of Assam & Ors** decided on 1 January, 2008 in connection with W.P (C) No.1094 of 2008.

With regard to 'Saphun' in Mizo society, the Mizo Customary Laws, 1956 and the comprehensive in nature of the 'Monograph on Lushai Customs and Ceremonies' authored by N.E. Parry, ICS published by Ri Khasi Offset Printers, Shillong on behalf of the Tribal Research Institute,

Aizawl- Mizoram, 1928 are silent on it. In the book entitled, the 'Lushei Kuki Clans' authored by Lt. Colonel J. Shakespear printed at Ri Khasi Offset Printers, Shillong published by the Tribal Research Institute, Aizawl- Mizoram at page no. 61, he stated that "*Each clan has a special spirit presiding over its destinies*". In page no. 70, he further says that "*Each clan has a special chant or invocation.....*" which is confirmed by the Section 92 of the Mizo Customary Laws published by the Law & Judicial Department, Govt. of Mizoram published in the Mizoram Gazette, Extra Ordinary, Vol. XXXIV, 6.4.2005, SE 1927, Issue No. 66 which says solely for the purpose of religious practices, proselyte can only be done amongst Mizo community as each clan have separate chant/invocation, the purpose therein under the said section are also (i) due to not having relatives (ii) to link with others for relationship (iii) due to won by opponent in the war amongst the clan (iv) due to slow improvement of illness of the child. As per Section 95 of the said Mizo Customary Laws, 'Saphun' can be terminated by either of parties. Indeed the term 'Saphun' is equivalent to 'Proselyte' which means a convert from one opinion, religion, or party to another > a person who has converted to Judaism according to the Concise Oxford English Dictionary, Indian Edition published by the Oxford University Press Inc., New York, 1st Indian Edition, 2009. In Mizo vocabulary, 'Sa' is the short form of 'Sakhua' (religion) and 'Phun' means convert.

It crystal clear that conversion into Mizo community by other community particularly foreigners like the plaintiff is illegal and no *locus standi*.

Even within Indian citizenry, it is not permissible to convert into Mizo community by a male person even by way of Affidavit or not, the law is already settled by the Hon'ble Supreme Court that one can get Schedule tribe status by birth only as held in the case of **N. E. Horo Vs. Jahan Ara Jaipal Singh**, AIR, 1972 SC 1840, 1972 (3) SCR 361, 1972 (1) SCC 771, it was further held that a female person can join the community/clan of the male husband but the male husband by way of marriage cannot get the same status by holding that all the issues in the marriage will also follow the community of the male husband and in the light of the decision in the case of **Kumari Madhuri Patil Vs. Additional Commissioner**, 1994 AIR (SCW) 4116, 1995 AIR 94, 1994 SCC (6) 241. The in force like *the Constitution (Scheduled Tribes) Order, 1950* or *Third Schedule to the State of Mizoram Act, 1986 (Central Act No. 34 of 1986)* only governed Mizo tribals and their entity. Thus, it cannot derogate or malignant the said in force laws as held by the Hon'ble Supreme Court in the case of **State of Bihar & Ors. Vs. Subodh Gopal Bose & Anr.** decided on 22/08/1967 and reported in 1968 AIR 281, 1968 SCR (1) 313, it was held thus-

"A custom is a usage by virtue of which a class of persons belonging to a defined section in a locality are entitled to exercise specific rights against certain other persons or property in the same locality. To the extent to which it is inconsistent with the general law undoubtedly the custom prevails. But to be valid a custom must be ancient, certain and reasonable, and being in derogation of the general rules of law must be construed strictly"

And in **Yeghoto Sumi Vs. State of Nagaland and Ors.** 1997 (2) GLT 568, the Hon'ble Gauhati High Court also held an observation on Customs that-

"It is well settled principle of law that a custom, in order to be a valid custom, must be ancient, reasonable and not opposed to public policy or enactment of legislature..."

Furthermore, *Bengal Eastern Frontier Regulation, 1873*, is also chalked to prevent the Mizo people from immigration of undesirable

foreigners like Bengali Shopkeepers and Nepali graziers as highlighted by Mr. W.A. Cossgrave, Esq., I.C.S. the then Chief Secretary to the Govt. of Assam for a proposal to Inner Line for the then Lushai Hills District sent to the Foreign Secretary to the Govt. of India, Simla under No. POL. 1552/7312 A.P. Shillong, the 4th June, 1930.

Adversely, the plaintiff by violating the existing Foreigners Act, 1946 or the Passport (Entry into India) Rules, 1950 and the provisions of the Bengal Eastern Frontier Regulation, 1873 migrated into Mizoram (India) cannot claim any rights akin to the citizens of India. In other words, instead of EPIC [Which could not elicit the status of citizenship of India as settled by the Hon'ble Gauhati High Court in the case of **Mustt Sarabari Begum @ Syera vs State Of Assam & Ors. supra.**], the plaintiff should obtain National Identity Cards in accordance with the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003 to ascertain his identity is he is entitled.

Issue No. 6

Whether the suit land in dispute was purchased by the plaintiff. If so, whether the same belonging to the plaintiff or the defendant no. 1.

Evidence of the plaintiff explicit that the suit land was acquired by the plaintiff during marriage with the defendant no. 1. Obviously, in the Mizo rural lifestyle, both man and women work together a manual work including jhum cultivation in their own effort and capability. Although the defendant no. 1 fails to embark her evidence, the suit land in dispute can be well presumed to purchase from the earnings of both the plaintiff and defendant no. 1. Being the plaintiff is a non tribal, transfer of land in his own name is not permissible as per Section 3 of the Mizo District (Transfer of Land) Act, 1963 without prior permission of the Government. According to section 14 of the Mizo District (Land and Revenue) Act, 1956, any transfer of land is required mandatorily to register in the office of the government but which is not done in the instant case. The land without having any pass whether allotted by the village council or the government is not known, whether it is transferable or not is also one big moot point pertaining to the case. Moreover, without having any permanent residential pass, no permanent settlement of land can be made to the plaintiff as insisted by rule 13 of the Mizo District (Land and Revenue) Rules, 1967. Meanwhile, as already settled under issue no. 5, as per '*Guidelines for issue of Residential Certificate*' which was issued under Memo No. A. 14015/1/2010-HM, the 27th April, 2011 Vide, the Mizoram Gazette, Ext. Ordinary, Vol. XL, 5.5.2011, Issue No. 195, the plaintiff is not entitled to obtain permanent residential certificate. Besides, the decisions arrived by the Hon'ble Gauhati High Court in the case of **Chalthiangi vs. State Of Mizoram And Ors.** decided on 28 June, 2007 and reported in 2007 (4) GLT 166, the Hon'ble Gauhati High Court has held that-

"13. That, a conjoint reading of the above definitions demonstrate that the land allotted under "Pass" is a temporary in nature, a pass-holder has only temporary right of use over the land for a specific period mentioned in the 'Pass' without having any right to transfer or of inheritance or of subletting. Whereas a Settlement-holder has every right, title, interest including the heritable and transferable rights by virtue of the LSC until and unless the settlement is cancelled for violation of terms and conditions of settlement. It is clear that decides other mode of settlement land can be settled either permanently or temporarily with any individual or society etc, under the relevant land laws of the State of Mizoram. In the case at hand, it has been proved that the suit land was settled permanently with the plaintiff under LSC No. 57/1988, marked Exbt. P-1 and thus, the plaintiff- appellant has definitely better right and title than any other 'Pass-holder' in respect of the suit land."

In the relied case of **Smt. Romawii Vs. Shri. Hrangthanglura** in RSA No. 4 of 2005 decided on 03/08/2005, the LSC was issued in favour of the appellant plaintiff Smt. Romawii which was purchased from Mr. Khawhluna but the respondent defendant did not at any point of time either question the validity of the said certificate or move to any authority for cancellation thereof. The appellant plaintiff was therefore awarded decree for title of the disputed LSC. But in the instant case, the defendant took initiative for cancellation of the disputed certificate. The ratio of the said decision is not in toto applicable in the instant case.

The defendant no. 1 being the holder of Land Settlement Certificate must have exclusive right over the suit land subject to conditions inter alia set forth by the government within the relevant land and revenue laws beyond the intrusion of the plaintiff at any cost.

Issue No. 7

Whether the LSC No. 102501/01/1985 of 1999 was rightly/duly issued in the name of the defendant no. 1

Before issuance of the LSC No. 102501/01/1985 of 1999 in the name of the defendant no. 1, the land was not recorded in the concerned office of the government as imposed under section 14 of the Mizo District (Land and Revenue) Act, 1956. More so, the village council pass was not also available as admitted by evidence adduced by the plaintiff. Thus, in short, the Revenue authorities of the government of Mizoram within their competency making allotment of land to the defendant no. 1 by way of Land Settlement Certificate.

Issue No. 8

Whether the plaintiff is entitled to the relief claimed or not.

As already decided all the above issues in favour of the defendants on the basis of evidence disclosed by witnesses, the plaintiff is not entitled to the relief which he sought for.

ORDER

The inevitable conclusion is that issuance of LSC No. 102501/01/1985 of 1999 in the name of the defendant no. 1 and corrected again in the name of the defendant no. 1 but thereafter mutated in the name of the plaintiff by the competent authority is rightly correct as done within the ambit of existing laws. Due to lack of merits, the suit is dismissed but no order as to cost of the suit.

The case shall stand disposed of accordingly.

Give this copy to all concerned.

Dr. H.T.C. LALRINCHHANA
Senior Civil Judge- 2
Aizawl District: Aizawl

Memo No. TS/1/2007, Sr. CJ (A)/

Dated Aizawl, the 1st August, 2011

Copy to:

1. Mr. R. Lalhmuaka S/o Rohmingliana, Vengthar- Darlawn, Aizawl District through Mr. C. Lalramzauva, Senior Advocate
2. Smt. Laltlanliani, Ex-wife of Mr. R. Lalhmuaka, Darlawn (Block Veng), Aizawl District- Mizoram through Mr. Saihmingliana Sailo, Adv.
3. The State of Mizoram Through the Secretary to the Govt. of Mizoram, Revenue Department through Mr. R. Lalremruata, AGA
4. The Director, Land Revenue and Settlement Department, Govt. of Mizoram through Mr. R. Lalremruata, AGA
5. The ASO- I, Aizawl District: Aizawl through Mr. R. Lalremruata, AGA
6. P.A to Hon'ble District & Sessions Judge, Aizawl Judicial District, Aizawl
7. Case record

PESKAR