

GAHC040012602022

2026:GAU-AP:343



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

**Case No. : WP(C)/380/2022**

Debia Tamin  
S/o Shri Debia Takam,  
Resident of P Sector, Nirjuli, PO and PS Doimukh, District Papumpare, Arunachal Pradesh.  
Mobile No. 7085778748

VERSUS

THE STATE OF AP and 2 Ors.  
Represented by the Commissioner (Land Management), Govt. of Arunachal Pradesh, Itanagar.

2:The Chief Engineer  
Age: 0  
Occupation :  
Highway PWD  
Mowb II Itanagar  
Arunachal Pradesh.

3:The Deputy Commissioner  
Age: 0  
Occupation :  
Capital Complex  
Itanagar  
Govt. of Arunachal Pradesh

**Advocate for the Petitioner** : Pritam Taffo, Minter Karbak, V Mandal, V Dolo

**Advocate for the Respondent** : GA (AP), Rintu Saikia, SC(Highway)

Linked Case : WP(C)/357/2022

Tame Anuk  
Age: 45  
Occupation :  
Address:S/o Lt. Tame Takio

Permanent Resident of Hiya Village  
PO/PS Nyapin  
District Kurung Kumey  
Arunachal Pradesh. Mobile No. 9402277898

VERSUS

THE STATE OF AP and 2 Ors.

Age: 0  
Occupation :  
Address:Represented by the Commissioner (Land Management) Govt. of Arunachal Pradesh  
Itanagar.  
2:The Chief Engineer  
Age: 0  
Occupation :  
Address:Highway PWD  
Mowb II  
Itanagar  
Govt. of Arunachal Pradesh.

3:The Deputy Commissioner  
Age: 0  
Occupation :  
Address:Itanagar Capital Complex Itanagar  
Govt. of Arunchal Pradesh.

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Advocate for : Pritam Taffo  
Advocate for : GA (AP) appearing for THE STATE OF AP and 2 Ors.: Advocate ,  
  
, appearing for 2,  
  
3, respectively.

Linked Case : WP(C)/85/2024

Debia Niya

Age: 26  
Occupation :  
Address:Son of Debia Meli  
resident of Deed Village  
PO and PS Ziro  
Lower Subansiri District  
Arunachal Pradesh

VERSUS

The State of AP and 3 Ors

Age: 0  
Occupation :  
Address:represented by the Secretary  
Land Management  
Govt of Arunachal Pradesh  
Itanagar  
2:The Secetary  
Age: 0  
Occupation :  
Address:Land Management  
Govt of Arunachal Pradesh  
Itanagar

3:The Chief Engineer  
Age: 0  
Occupation :  
Address:Highway PWD  
Mowb -II  
Itanagar  
Arunachal Pradesh

4:The Deputy Commisiosner  
Age: 0  
Occupation :  
Address:Capital Complex  
Itanagar  
Govt of Arunachal Pradesh.

-----  
Advocate for : Pritam Taffo  
Advocate for : GA (AP) appearing for The State of AP and 3 Ors: Advocate ,

,

, appearing for 2,

3,

4, respectively.

Linked Case : WP(C)/382/2022

Kipa Meena  
Age: 41  
Occupation :  
Address:W/o Shri Kipa Natung

Resident of Damsite  
Naharlatgun  
PO and PS Naharlagun  
District Papum Pare  
Arunachal Preadesh 790102  
Phone No. 9402853522

VERSUS

THE STATE OF AP and 2 Ors.

Age: 0  
Occupation :  
Address:Represented by the Commissioner (Land Management)  
Govt. of Arunachal Pradesh  
Itanagar.  
2:The Chief Engineer  
Age: 0  
Occupation :  
Address:Highway PWD  
Mowb II  
Itanagar  
Arunachal Pradesh.

3:The Deputy Commissioner  
Age: 0  
Occupation :  
Address:Capital Complex  
Itanagar  
Govt. of Arunachal Pradesh.

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Advocate for : Pritam Taffo  
Advocate for : GA (AP) appearing for THE STATE OF AP and 2 Ors.: Advocate ,

, appearing for 2,

3, respectively.

Linked Case : WP(C)/384/2022

Kipa Nuka  
Age: 23  
Occupation :  
Address:S/o Shri Kipa Natung

Resident of Damsite  
Naharlagun  
PO and PS Naharlagun  
District Papum Pare  
Arunachal Pradesh 790102  
Mobile No 7638823651

VERSUS

THE STATE OF AP and 2 Ors.

Age: 0  
Occupation :  
Address:Represented by the Commissioner (Land Management)  
Govt. of Arunachal Pradesh  
Itanagar.  
2:The Chief Engineer  
Age: 0  
Occupation :  
Address:Highway PWD  
Mowb II  
Itanagar  
Arunachal Pradesh.

3:The Deputy Commissioner  
Age: 0  
Occupation :  
Address:Capital Complex  
Itanagar  
Govt. of Arunachal Pradesh.

-----  
Advocate for : Pritam Taffo  
Advocate for : GA (AP) appearing for THE STATE OF AP and 2 Ors.: Advocate ,

, appearing for 2,

3, respectively.

Linked Case : WP(C)/383/2022

Kipa Anyi  
Age: 26  
Occupation :  
Address:D/o Shri Kipa Natung

Resident of Damsite  
Naharlagun  
PO and PS Naharlagun  
District Papum Pare  
Arunachal Pradesh 790102. Mobile No. 9436409458

VERSUS

THE STATE OF AP and 2 Ors.

Age: 0  
Occupation :  
Address:Represented by the Commissioner (Land Management) Govt. of Arunachal Pradesh  
Itanagar.  
2:The Chief Engineer  
Age: 0  
Occupation :  
Address:Highway PWD  
Mowb II  
Itanagar  
Arunachal Pradesh.

3:The Deputy Commissioner  
Age: 0  
Occupation :  
Address:Capital Complex  
Itanagar  
Govt. of Arunachal Pradesh.

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Advocate for : Pritam Taffo  
Advocate for : GA (AP) appearing for THE STATE OF AP and 2 Ors.: Advocate ,  
  
, appearing for 2,  
  
3, respectively.

Linked Case : WP(C)/409/2022

Tarh Akak Antoni

Age: 43  
Occupation :  
Address:S/o Shri Tarh Takia  
Resident of Nirjuli  
PO and PS Nirjuli  
District Papum Pare  
Arunachal Pradesh 791110. Mobile No 9612541418

VERSUS

THE STATE OF AP and 2 Ors.

Age: 0  
Occupation :  
Address:Represented by the Commissioner (Land Management) Govt. of Arunachal Pradesh  
Itanagar.  
2:The Chief Engineer  
Age: 0  
Occupation :  
Address:Highway  
PWD  
Mowb II Itanagar  
Arunachal Pradesh  
Itanagar.

3:The Deputy Commissioner  
Age: 0  
Occupation :  
Address:Capital Complex  
Itanagar  
Govt. of Arunachal Pradesh.

-----  
Advocate for : Pritam Taffo  
Advocate for : GA (AP) appearing for THE STATE OF AP and 2 Ors.: Advocate ,  
  
, appearing for 2,  
  
3, respectively.

Linked Case : WP(C)/419/2022

Tarh Akak Antoni  
Age: 43  
Occupation :  
Address:S/o Shri Tarh Takia

Resident of Nirjuli  
PO and PS Nirjuli  
District Papum Pare  
Arunachal Pradesh 791110  
Mobile No. 9612541418

VERSUS

THE STATE OF AP and 2 Ors.

Age: 0

Occupation :

Address:Represented by the Commissioner (Land Management) Govt. of Arunachal Pradesh. Itanagar.

2:The Chief Engineer

Age: 0

Occupation :

Address:Highway PWD

Mowb II Itanagar

Arunachal Pradesh.

3:The Deputy Commissioner

Age: 0

Occupation :

Address:Capital Complex

Itanagar

Govt. of Arunachal Pradesh.

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Advocate for : Pritam Taffo

Advocate for : GA (AP) appearing for THE STATE OF AP and 2 Ors.: Advocate ,

, appearing for 2,

3, respectively.

Linked Case : WP(C)/381/2022

Kipa Natung

Age: 45

Occupation :

Address:S/o Shri Kipa Tashi

Residence of Damsite

Naharlagun

PO and PS Naharlagun

District Papumpare

Arunachal Pradesh 790102

Phone No. 9436409458

VERSUS

THE STATE OF AP and 2 Ors.

Age: 0

Occupation :

Address:Represented by the Commissioner (Land Management)

Govt. of Arunachal Pradesh

Itanagar.

2:The Chief Engineer

Age: 0

Occupation :

Address:Highway PWD

Mowb II

Itanagar

Arunachal Pradesh.

3:The Deputy Commissioner

Age: 0

Occupation :

Address:Capital Complex

Itanagar

Govt. of Arunachal Pradesh.

-----  
Advocate for : Pritam Taffo

Advocate for : GA (AP) appearing for THE STATE OF AP and 2 Ors.: Advocate ,

, appearing for 2,

3, respectively.

Linked Case : WP(C)/377/2022

Gyamar Yaso

Age: 46

Occupation :

Address:W/o Shri Gyamar Siram

Resident of Banderdewa 5/1

PO/PS Banderdewa

District Papumpare

Arunachal Pradesh.

Mobile No. 9436637999

VERSUS

THE STATE OF AP and 2 Ors.

Age: 0

Occupation :

Address:Represented by the Commissioner (Land Management)

Govt. of Arunachal Pradesh

Itanagar.

2:The Chief Engineer

Age: 0

Occupation :

Address:Highway

PWD

Mowb II

Itanagar

Arunachal Pradesh.

3:The Deputy Commissioner

Age: 0

Occupation :

Address:Capital Complex

Itanagar

Govt. of Arunachal Pradesh.

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Advocate for : Pritam Taffo

Advocate for : GA (AP) appearing for THE STATE OF AP and 2 Ors.: Advocate ,

, appearing for 2,

3, respectively.

Linked Case : WP(C)/378/2022

Gyamar Mindu

Age: 26

Occupation :

Address:S/o Shri Gyamar Siram

Resident of Banderdewa 5/1

PO and PS Banderdewa

District Papumpare

Arunachal Pradesh.

Mobile No. 94366442503

VERSUS

THE STATE OF AP and 2 Ors.

Age: 0  
Occupation :  
Address:Represented by the Commissioner (Land Management)  
Govt. of Arunachal Pradesh

Itanagar.  
2:The Chief Engineer  
Age: 0

Occupation :  
Address:Highway  
PWD  
Mowb II  
Itanagar  
Arunachal Pradesh.

3:The Deputy Commissioner

Age: 0  
Occupation :  
Address:Capital Complex  
Itanagar  
Govt. of Arunachal Pradesh.

-----  
Advocate for : Pritam Taffo  
Advocate for : GA (AP) appearing for THE STATE OF AP and 2 Ors.: Advocate ,  
  
, appearing for 2,  
  
3, respectively.

Linked Case : WP(C)/379/2022

Gyamar Tutu  
Age: 40  
Occupation :  
Address:W/o Shri Gyamar Siram

Resident of Banderdewa  
5/1  
PO and PS Banderdewa  
District Papumpare  
Arunachal Pradesh.  
Mobile No. 9436637999

VERSUS

THE STATE OF AP and 2 Ors.  
Age: 0

Occupation :  
Address:Represented by the Commissioner (Land Management)  
Govt. of Arunachal Pradesh  
Itanagar.  
2:The Chief Engineer  
Age: 0  
Occupation :  
Address:Highway PWD  
Mowb II  
Itanagar  
Arunachal Pradesh.

3:The Deputy Commissioner  
Age: 0  
Occupation :  
Address:Capital Complex  
Itanagar  
Govt. of Arunachal Pradesh.

-----  
Advocate for : Pritam Taffo  
Advocate for : GA (AP) appearing for THE STATE OF AP and 2 Ors.: Advocate ,  
  
, appearing for 2,  
  
3, respectively.

B E F O R E

**HON'BLE MR. JUSTICE SANJAY KUMAR MEDHI**

Advocates for the petitioner: Shri P. Taffo

Advocates for the respondents: Shri S. Tapin, Sr.GA, AP

Date of hearing and Judgment : **06.04.2026**

**JUDGMENT & ORDER (ORAL)**

The cause of action in these writ petitions being common, the same are taken up for an analogous hearing and are disposed of by this common judgment and order. The claim is with regard to payment of compensation for land which were in the possession of the petitioners.

2. Bereft of details, as per the facts projected, there was an expansion and broadening of the highway from Itanagar to Banderdewa and the present claim is for the stretch from Nirjuli to Bandardeva. It is contended on behalf of the petitioners that there was no formal land acquisition proceeding and on the other hand, a Notification dated 29.03.2016 was published as per which, compensation would be given to the land affected persons by the Right of Way and the new alignment of the road. It is the specific case of the petitioners that they fell within the category of such land affected persons, who were dispossessed from the lands under their possession due to the new alignment.

3. I have heard Shri P. Taffo, learned counsel for the petitioners. I have also heard Shri S. Tapin, learned Senior Government Advocate, AP.

4. Shri Taffo, learned counsel for the petitioners has submitted that in terms of the notification dated 29.03.2016, assessment of the compensation was made by the concerned Deputy Commissioner, Itanagar Capital Complex and Estimate was prepared on individual basis. The same was sent for approval to the Ministry of Road Transport and Highway, Government of India which was accordingly approved 08.07.2016 and the amount was accordingly deposited in the Office of the Deputy Commissioner, Itanagar Capital Complex.

5. It is the specific case of the petitioners that while such compensation has been released to all other affected persons, the same has not been released to the petitioners on the pretext that, in the meantime, there was a Cabinet decision that the claims were required to be verified. The learned counsel for the petitioners has however fairly submitted that though there was also a claim of solatium in the claim made, the said aspect would be foregone and the present claim would be on the amount which has been estimated by the Ministry. It is contended that on some pretext or the other, the matter was

delayed and new Committees were formed for fresh assessment and verification which dragged the process and which was wholly unjustified. He has submitted that when all other similarly situated persons affected by the expansion and broadening of the Highway have been paid, the petitioners cannot be left out.

6. As regards the stand of the State, the learned counsel for the petitioners has submitted that in the affidavit filed by the respondent no. 3, it has been contended that the land falls under the Durpong Reserve Forest. He however submits that if that be the case, the entire stretch would be similarly situated and other affected persons have been paid the compensation and therefore, the same cannot be a reason for denial of the legal entitlements of the petitioners in these writ petitions.

7. Shri Tapin, learned Senior Government Advocate has however submitted that the non-payment of the compensation is justified for more than one reason. He has submitted that there was a Cabinet decision for verification of the claim which was purely in the public interest and to prevent misuse of public funds. He has also submitted that the land falls under the Durpong Reserve Forest and without the approval of the Forest Department, no compensation is liable to be paid to the public. He has referred to the Cabinet decision dated 21.05.2021 and has submitted that such decision was in consonance with the earlier decision of the year 2016 which is mainly in the interest of public.

8. The rival submissions have been duly considered and the materials placed before this Court have been carefully examined.

9. It is not in dispute that the petitioners were affected by the expansion and widening of the Highway, as mentioned above. It is also not in dispute that an assessment of the compensation was done in the year 2016 by the Deputy

Commissioner and an Estimate was prepared which was sent for approval to the Ministry of Road Transport and Highways. The said Ministry vide communication dated 30.11.2016 had approved the Estimate which presupposes that necessary verification and due diligence exercise was done. The fact that all other similarly situated persons have been paid the compensation would fortify the present claim of the petitioner, who are admittedly similarly situated as their names are there in the Estimate prepared.

10. So far as the stand of the State is concerned that the land falls under the Durpong Reserve Forest, this Court is of the opinion that while such a stand would be justified in an appropriate case, in the instance case, when the compensation has been assessed and approved by the Central Government in the Ministry of Road Transport and Highways and all other similarly situated affected persons have been paid, it would not at all be reasonable to deny the present petitioners from the compensation as per the Estimate prepared in the year 2016. This Court, however, lays a caveat that the present direction for making the payment would not be treated as a precedent.

11. In view of the aforesaid discussion, all the writ petitions are disposed of by directing the State respondents including the Deputy Commissioner, Itanagar Capital Complex to take all necessary steps for releasing the estimated amount to the petitioners which, however, can be preceded by a verification of their identity, so that payment are not made to any wrong person.

12. As indicated above, the present direction is not to be treated as a precedent.

**JUDGE**

**Comparing Assistant**