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**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA**  
**MIZORAM AND ARUNACHAL PRADESH)**  
**ITANAGAR PERMANENT BENCH**  
**NAHARLAGUN**

Appeal from  
Writ Petition (Civil)

W.P. No. 06 (AP) 2011

Shri Vicky Waii (Sonam)  
-Versus-  
The State of AP & Cons

Appellant  
Petitioner

Respondent  
Opposite Party

Counsel for the Appellant  
Petitioner

P. Taffo  
MS N. Daggan  
T. Lyade  
T. Popu

Counsel for the Respondent  
Opposite Party

CA (AP)

Noting by Officer or Advocate	Serial No.	Date	Office, note, reports, orders or Proceeding with signature
(1)	(2)	(3)	(4)

IN THE MATTER OF:-

Shri. Vicky Waii(Sonam),

S/o Shri. Tah Waii.

R/ o Type-III Colony Near Forest  
Colony, Seppa,

P.O P.S. Seppa

District East Kameng, Arunachal  
Pradesh.

...Petitioner.

-Versus-

1. <sup>vs</sup> The State <sup>vs</sup> of A.P. <sup>vs</sup> Represented  
by the Secretary, Land Management,  
Govt. of Arunachal Pradesh, Itanagar.
2. The Deputy Commissioner, East  
Kameng District, Seppa, Arunachal  
Pradesh.

3. The Additional Deputy Commissioner-  
Cum Estate Officer, East Kameng  
District, Seppa, Arunachal Pradesh.
4. The Land Revenue & Settlement  
Officer, for Deputy Commissioner,  
East Kameng District, Seppa,  
Arunachal Pradesh.
5. Smti. Papi Tabu, resident of Type-III-  
Colony, PO/PS, Seppa, East Kameng  
District, Arunachal Pradesh.

...Respondents.

**WP(C) 06(AP)/2011**

**BEFORE  
THE HON'BLE MR JUSTICE IA ANSARI  
:: O R D E R ::**

**07.01.2011**

Heard Mr. P. Taffo, learned counsel, for the petitioner, and Mr. Mr. R. H. Nabam, learned Senior Govt. Advocate, for the respondent Nos.1 to 4.

By order, dated 21.12.2010, issued by the respondent No.2, namely, Deputy Commissioner, East Kameng District, Seppa, Arunachal Pradesh, it was directed that the unauthorized occupants of Govt. land near GREF Det., Forest Colony at Type III and Type In view of the above, Colony, Seppa, shall be evicted on 23.12.2010 at 1030 hrs by the Town Magistrate, Seppa. This was followed by a notice, dated 24.12.2010, issued by the respondent No.4, namely, Land Revenue & Settlement Officer for Deputy Commissioner, East Kameng District, Seppa, Arunachal Pradesh, to the present petitioner directing him to vacate the land, which is presently in occupation of the present petitioner, on the ground that he is an unauthorized occupant of the said land making it clear that failure, on the part of the petitioner to vacate the land, would invite action as per law. Aggrieved by the order, dated 21.12.2010, and the notice, dated 24.12.2010, aforementioned, this writ petition, under Article under Article 226 of the Constitution of India of the Constitution of India, has been filed by the petitioner seeking issuance of writ(s) setting aside and quashing the impugned notice and order and also to give direction to the respondent No.5 restrain himself from evicting the petitioner without proper hearing.

Considering the fact that it is not in dispute that the petitioner is in unauthorized occupation of Government land, his case needs to be dealt with in accordance with the provisions of law contained in that behalf.

In view of the above and in the interest of justice, this writ petition is disposed of with direction to the respondents that the eviction of the petitioner shall not take place except in accordance with law after giving the petitioner a reasonable opportunity of showing cause, if any, against his eviction and hearing.

No costs.

  
**JUDGE**