

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

ITANAGAR PERMANENT BENCH

WP(C) 525(AP)/2015

SHRI YIGO BAM @ MIGO BAMPetitioner
-Versus-

THE STATE OF ARUNACHAL PRADESH & 3 ORS.Respondents

**BEFORE
HON'BLE MR. JUSTICE KALYAN RAI SURANA**

Advocates for the Petitioners	: Mr. Rintu Saikia, Mr. K. Lolen, : Mr. L. Nochi, Ms. C.D. Thongchi : R. Bori, I. Bagra.
Advocates for the Respondents	: Mr. T.T. Tara, Mr. K. Jini, : Ms. G. Ete, T. Gadi, D. Loyi, : Ms. B. Picha, Ms. S. Ketan, : Mr. G. Ngomdir, Mr. J. Jini, : Mr. G. Bam, Mr. G. Kato, M. Rime.
Date of hearing	: 07.05.2018, 08.05.2018.
Date of judgment and order	: 10.05.2018.

JUDGMENT AND ORDER (CAV)

Heard Mr. R. Saikia, the learned counsel for the petitioner. Also heard Ms. G. Ete, the learned Addl. Senior Government Advocate, appearing on behalf of the State respondents No. 1 and 3 as well as Mr. K. Jini, the learned Counsel for the respondent No.2 and Mr. T. T. Tara, the learned counsel appearing for the respondent No. 4.

2) By this writ petition under Section 226 of the Constitution of India, the petitioner has challenged the order No. BSR/LK-176/14-15/Vol.III dated 09.11.2015, passed by the Additional Deputy Commissioner, Basar.

3) In this writ petition it is projected that the ancestral family property was equally divided between two brothers, namely, Lime Bam and Ligo Bam. Ligo Bam, who became the owner of Ampir Jhum land measuring 22,558 sq. meters, was the forefather of the petitioner. The said land falling in the share of Ligo Bam was equally divided amongst his three sons, namely, Gomi Bam, Gokar Bam and Goyi Bam. Goyi Bam (since deceased) is the father of the petitioner and upon his death, the share of Late Goyi Bam was inherited by the petitioner. It is further projected that in the year 1996, the petitioner had allowed the respondent No. 4, namely, Karmar Bam, son of Late Gokar Bam, to construct his dwelling house on the Ampir jhum land of the petitioner on temporary basis on assurance that he would shift as and whenever the petitioner wanted.

4) It was further projected that in the year 2002, one Yirik Bam, the son of Late Mayi Bam and grandson of Late Lime Bam had raised a boundary dispute in respect of the Ampir jhum land of the petitioner. Accordingly, a village Keba was held on 04.04.2002 and the dispute was settled in the presence of Head Gaon Burah, other Gaon Burahs and the village elders, etc. of Bam village. Accordingly, proper boundary was demarcated by the Village Keba in respect of the land of the petitioner. The said decision of the village Keba held on 04.04.2002, was stated to have attained finality. In the due course, the petitioner applied before the office of the Additional Deputy Commissioner, Basar for issuance of a land possession certificate ('LPC' for short) after observing all formalities i.e., after obtaining NOC from Head Gaon Burah, other Gaon Burahs and the owners of the land situated in the adjoining four boundaries of the

petitioner. It is projected that the Additional Deputy Commissioner, Basar by an order dated 16.01.2015, directed the concerned R.K. and two chainmen to conduct spot verification of the petitioner's land meant for residential purpose. It was projected that accordingly, the concerned land management staff had prepared the sketch map and the same was approved by the Additional Deputy Commissioner, Basar. The Additional Deputy Commissioner, Basar, had thereafter issued a LPC bearing No. BSR/LM-LPC-251/2011-12 dated 12.02.2015, certifying that land/area measuring 22,558.00 sq. meters as described therein was in possession of the petitioner. The four boundaries of the said land were also described therein. The petitioner had paid a sum of Rs.2,406/- as royalty/ revenue in respect of the said land through treasury challan dated 10.02.2015.

5) Thereafter on 27.10.2005, the respondent No. 4 had submitted an application before the Additional Deputy Commissioner, Basar for cancelling the LPC dated 12.02.2015 issued to the petitioner on the ground that the said LPC was issued without proper notice and that the Ampir jhum land was their clan's ancestral property. Hence, a prayer was made for holding a village level Keba to decide the dispute. Accordingly, on the basis of the complaint by the respondent No. 4, the Additional Deputy Commissioner, Basar by an order dated 09.11.2015, directed the Head Gaon Burah, Village Bam-III to conduct a village level Keba on any suitable date and time for amicable settlement of the case.

6) Against the said order dated 09.11.2015, the petitioner had submitted a representation before the Additional Deputy Commissioner, Basar with a request to cancel the order for Keba on four grounds, viz., (i) an earlier Keba by decision dated 04.04.2002 had decided and settled the

case in his favour, (ii) that LPC was issued after following codal/ legal formalities, (iii) an earlier complaint by respondent No. 4 was rejected by the said authority vide letter dated 02.04.2015 and (iv) the respondent No. 4 was allowed to construct a house for temporary dwelling on condition that he would vacate as and when asked and that he had neither sold nor vacated the land to the respondent No. 4. Accordingly, an office note dated 16.11.2015 was put up by the concerned Extra-Assistant Commissioner (EAC for short) with a recommendation for examining the matter and to reconsider the order dated 09.11.2015. However, the Additional Deputy Commissioner, Basar made a note dated 16.11.2015 in the note sheet and allowed the Keba to examine the complaint and to take needful decision.

7) Thereafter, the petitioner had made a prayer before the Head Gaon Burah on 16.11.2015 and 27.11.2015 to adjourn the Keba. However, the village authorities gave their verdict against the petitioner in the Village Keba held on 30.11.2015.

8) Challenging the actions of the respondents, the following prayers has been made in this writ petition:-

- I. Illegal and arbitrary impugned order vide no. BSR/LK-176/14-15/VOL-III dated 09.11.2015 (Annexure-V) directing the HGB of village Bam-III for village level Keba for amicable settlement of land dispute case, because once LIC is issued by the revenue authority there cannot be a vigilance level Keba for cancellation of LPC.
- II. A direction may be issued to the respondent No. 1 & 3 i.e. the Additional Deputy Commissioner, Basar to recall/revoke illegal

and arbitrary impugned order dated 09.11.2015 (Annexure-V) whereby directing the HGB of village Bam-III for village level Keba for amiable settlement of land dispute case, because once LPC is issued by revenue authority there cannot be a village level Keba for cancellation of LPC.

III. Illegal representation dated 30.11.2015 (Annexure-IX) submitted by HGBs & GBs of Bam village thereby illegally declared the LPC dated 12.02.2015 issued in favour of petitioner as ambiguous and not applicable in the village, because once the LPC has been issued by the revenue authority, the village authorities has no authority to declared the same as ambiguous and not applicable in the village.

IV. For a direction to the respondent No. 3 i.e. Additional Deputy Commissioner, Basar not to act upon the illegal representation dated 30.11.2015 (Annexure-IX) submitted by the HGBs & HBs of Bam village thereby illegally declared the LPC dated 12.02.2015 issued in favour of the petitioner as ambiguous and not applicable in the village, because once the LPC has been issued by the revenue authority to declared the same as ambiguous and not applicable.

9) The respondent No. 4 had filed his affidavit-in-opposition. In the said affidavit, the genealogy of the clan was given. It was projected that the original owner of the land of the clan was Goli Bam, who had two sons. It was projected that the predecessor of the petitioner and the respondent No.4, namely, Ligo Bam had gifted the Ampir jhum land to his son, namely, Late Gomi Bam and the property was not distributed to his other two sons, namely, Late Gokar Bam and Late Goyi Bam. It was

projected that the respondent No. 4 and his brother Karken Bam were looking after the land gifted to Gomi Bam and that without obtaining permission from anybody, the respondent No.4 had constructed his dwelling house. It was stated that in the Village Keba held on 04.04.2002, the dispute between the Late Mayi Bam (son of Lime Bam) as well as Late Gomi Bam (the elder son of Ligo Bam) was settled and it was specifically stated that neither the petitioner nor Yirik Bam (son of Mayi Bam) were in picture. In this regard, a certificate issued by 17 members of the said Keba, as annexed to the affidavit-in- opposition was relied upon. It was projected that while issuing LPC, the authorities had not adhered to the Office Memorandum dated 18.12.2006 and the LPC was issued to the petitioner without giving notice to the concerned persons including the respondent No. 4.

10) It was stated in the affidavit- in- opposition of Respondent No.4 that the petitioner had made false representation before the Head Gaon Burah, Gaon Burahs and neighboring persons, who had given their respective NOCs in good faith and without knowing that their NOCs would be used by the petitioner for obtaining LPC. It was also projected that NOCs were not reliable. Hence, the respondent No. 4 had prayed for dismissal of the writ petition.

11) The petitioner herein had filed his rejoinder to the affidavit-in- opposition filed by the respondent No. 4, thereby denying the allegations made in the affidavit-in-opposition.

12) The submissions made by the petitioner can be compartmentalized into four broad points. Firstly, it is submitted that there is no provision in

the Assam Frontier (Administration of Justice) Regulation, 1945 for holding a second Keba in respect of the same subject matter in dispute. In this connection, it is submitted that by a village Keba decision dated 04.04.2002, the land dispute between the petitioner and one Yirik Bam was settled, which had attained finality as no appeal or revision was preferred by anyone against the said decision. It is submitted that there are provisions in the said 1945 Regulation, which permits filing of appeal and review by "any person" aggrieved by the Keba decision. It is submitted that as the Keba decision dated 04.04.2002 as annexed to this writ petition was not fabricated for false, the respondent No. 4 could not produce the purported correct decision by the village Keba held on 04.04.2002, and the respondent No.4 was now relying on an alleged certificate by 17 persons, which is not at all reliable for cancelling the LPC issued to the petitioner.

13) The second point raised by the learned counsel for the petitioner is that the LPC was issued is in exercise of review jurisdiction by the Additional Deputy Commissioner, Basar in terms of the Office Memorandum dated 19.12.1988 and therefore, LPC cannot be cancelled by a village level Keba as the matter did not exclusively fall within the jurisdiction of the Village Keba, and the Village Keba cannot upset the LPC issued by the Deputy Commissioner and/or Additional Deputy Commissioner, Basar. It is also submitted that the land revenue and land settlement matters are covered by the provisions of the Arunachal Pradesh (Land Settlement and Records) Act, 2000 and therefore, the Issuance of LPC can only be challenged by way of appeal and/or revision as provided under Chapter - VIII of the said 2000 Act. In this connection, it is further submitted that on the basis of his application, the Additional

Deputy Commissioner, Basar had observed all the necessary formalities and accordingly, after land measurement was carried out, a map was prepared by the "land management staff". It is submitted that no one had challenged the LPC issued by the Additional Deputy Commissioner, Basar. Hence, the said Additional Deputy Commissioner, Basar, could not have relied on the unproved writings allegedly made by the Head Gaon Burah, Gaon Burahs and neighboring persons that they had given their respective NOCs on false representation by the petitioner. In this context, it is submitted that all the certificates produced by the respondent No. 4 were issued after the representation for second Village Keba was submitted. By referring to documents allegedly signed by some of his land owners on the boundary of the petitioner, it is projected that the said letters were purposefully back dated to project as if representation was made on 24.03.2015, whereas, those representations was actually received by the authority concerned only on 17.12.2015. Moreover, it is submitted that none of the said signatories had claimed that they had any right or interest over the disputed land. It is also submitted that while submitting the NOCs along with his application for LPC, whatever portions of the NOCs were left blank was not at all required to be filled up. It was also submitted that as the land covered by the LPC issued in favour of the petitioner did not fall in the vicinity of the any reserve forest or any Government land, there was no requirement for a DFO to give NOC as projected in the affidavit-in-opposition filed by the respondent No. 4.

14) The third point raised by the learned counsel for the petitioner is that pursuant to the decision of this Court in the case of *Registrar General, Gauhati High Court Vs. Union of India and Ors., 2013 (4) GLT 1109*, as CPC was made applicable in the State and the Arunachal Pradesh Judicial

Service Rules, 2006 has been promulgated by the State and accordingly, the Civil Courts have been duly constituted and are functioning, this Court had held that the executive and original jurisdiction of the executive to entertain a suit had been taken away and accordingly, it was held that conferment of judicial power on the Executive under the North East Frontier (Administration and Justice) Regulations, 1945 would cease to operate and that the doctrine of implied repeal will apply. In this regard, the learned counsel for the petitioner has also relied on another decision of this Court, rendered in the case of *Abu Maj Family Vs. The Additional Deputy Commissioner and Anr., WP(C) 181(AP)/2017*, decided on 13.02.2018. Hence, it is submitted that the Additional Deputy Commissioner, had no power to direct the concerned Head Gaon Burah, Gaon Burahs to convene a village level Keba to adjudicate the dispute between the petitioner and respondent No. 4, when the issue was for cancelling LPC.

15) The next point agitated by the learned counsel for the petitioner is that the respondent No. 4 had managed to procure certificates from the Head Gaon Burah, Gaon Burahs and neighboring land owners as well as other persons, asserting that they had issued their respective NOCs on false representation made by the petitioner. Thereafter, the respondent No.4 wants that the same persons who had favoured him take up the Village Keba hearing and, as such, it is submitted that as the same persons were permitted by the Addl. Deputy Commissioner to hold a Keba, the result obviously went against the petitioner.

16) Per-contra, the learned counsel for the respondent No. 4, by referring to the application for LPC and the NOCs annexed to this writ

petition as Annexure-III (series), it is submitted that most of the documents were left blank at various places and the land verification report only contained the signature of the petitioner and was no counter signature by any Land Management staff, DFO and Administrative Officers. Similarly, it is submitted that the "inspection report" did not contain the signature of the concerned DFO, Circle Officer (Land Management Member), Administrative Officer and the Forest Range Officer in the prescribed format and similarly, the NOC in respect of the Divisional Forest Officer was also not signed either by the Divisional Forest Officer or by the Range Officer concerned. In this connection, it is submitted that the petitioner had falsely projected that he had duly applied for the LPC and in view of that fact that none of the documents contains the signature of land management staff or the DFO concerned or of any other Government officials, the application for LPC was incomplete and the LPC was illegally prepared and issued in favour of the petitioner. Hence, it is submitted that the present writ petition was liable to be dismissed on the ground that suppression of material facts and for producing fabricated documents for the purpose of obtaining the LPC illegally.

17) The learned counsel for the respondent No. 4 further submits that in paragraph-6 of the affidavit-in-opposition, the respondent No. 4 had denied that there was any Keba decision on 04.04.2002 between the petitioner and one Yirik Bam and to establish the said point, he has produced a certificate of 17 of the members present in the said Keba dated 04.04.2002, wherein it was stated that there was a dispute between Late Mayi Bam and Late Gomi Bam and the signatories had also denied their signatures shown in Keba decision dated 04.04.2002.

18) It is also submitted that the disputed land was the land gifted by Late Ligo Bam to his son, namely, Late Gomi Bam and that the respondent No. 4 was the care taker of the said land with his brother, Karken Bam. Hence, it is submitted that the disputed land was the ancestral property of the clan and, as such, by issuing LPC, the Addl. Deputy Commissioner could not have declared that any portion of the said disputed land was possessed by the petitioner.

19) It is submitted that by letter dated 27.10.2015, the respondent No. 4 had sought for permission to settle the case with the petitioner in the village level Keba. It is submitted that there are instances where law and order situation had worsened in course of Village Keba meetings and, as such, the Addl. Deputy Commissioner, being the In-charge of the law and order in the District was apprised so that adequate police and other entries could be made so there was a peaceful Keba conducted.

20) It is further submitted by the learned counsel for the respondent No. 4 that he was the counsel who had argued the case of *Abu Maj Family (supra)*. He also submits that in another case, being *Smti. Narah Messo Vs. State of Arunachal Pradesh and 3 Ors., WP(C) 99(AP)/2018*, decided on 13.03.2018, an order similar to the case of *Abu Maj Family (supra)* was passed. It is submitted that this Court did not take away the power of the Village Keba to adjudicate local disputes. Hence, the powers of the Executive to function and the judicial side in enforcing civil laws were taken away. Hence, it is submitted that there was no bar for the Village

Keba to adjudicate the dispute between the petitioner and the respondent No. 4.

21) It would be relevant to refer to the various prayers made in the present writ petition, as quoted herein before. In the said context, it is seen that in the present case, the petitioner has annexed a copy of the decision of the village level Keba as communicated to the Additional Deputy Commissioner, Basar by their letter dated 30.11.2015, which was signed by 8 (eight) Keba members including the Umpire appointed by the Additional Deputy Commissioner, Basar to hold the Keba. As per the said decision, the house had expressed strong reservation against the petitioner for having obtained NOC by duping the Head Gaon Burah, Gaon Burahs and ASM of New Bam Village and that the Keba had given their recommendation for cancellation of the LPC issued in favour of the petitioner. The Village Keba had also expressed that the petitioner be issued a show cause notice for abstaining from the said Keba meeting. In the considered opinion of this Court, the order dated 09.11.2015, issued by the Additional Deputy Commissioner, Basar, which is impugned in this writ petition, having been already acted upon, the challenge to the order dated 09.11.2015 does not survive and/or has become infructuous in the absence of any challenge to the Keba decision dated 30.11.2015.

22) It is seen that there is no prayer in this writ petition for declaring the decision of the Village Keba dated 30.11.2015 as illegal. The prayer No. III in the writ petition is to the effect that the village authorities have no authority to declare the LPC as an ambiguous and not applicable in the village. Similarly, in the prayer No. IV of the writ petition, it is stated that once LPC has been issued, the village authority has no power or

jurisdiction to declare the same as ambiguous and not applicable to the village. Therefore, it appears that while making prayer Nos. III and IV in the writ petition, the petitioner has himself declared that the decision of the Keba as communicated by letter dated 30.11.2015, to be illegal, without seeking any relief from this Court for declaration Keba decision dated 30.11.2015 to be illegal.

23) Moreover, assuming that the intention of the petitioner in this case was to challenge the Village Keba decision dated 30.11.2015, this Court finds that the concerned Village authorities have not been impleaded as a party in this writ petition. Therefore, in their absence, the Village Keba decision, as communicated to the Additional Deputy Commissioner by letter dated 30.11.2015, cannot be set aside by this Court without hearing the parties who had taken the decision.

24) In this case, the writ petitioner had not approached this Court immediately after he came to know about the order dated 09.11.2015 by the Additional Deputy Commissioner, Basar. Against the said order, the petitioner had submitted a representation before the Additional Deputy Commissioner, Basar. The Addl. Deputy Commissioner, Basar had written a note dated 16.11.2015, expressing that let the Keba examine the complaint as the Head Gaon Burah had been instructed to hold a Village level Keba. The said note dated 16.11.2015 passed by the Addl. Deputy Commissioner has also not been challenged in this writ petition. Moreover, by another note dated 23.11.2015, the said authority had recorded in the note sheet that since the authority has decided to let the Keba to be held accordingly, and it was further recorded that the petitioner herein can always come for review/appeal under Section 46 of the Assam Frontier

(Administration of Justice) Regulation, 1945. Under the circumstances, this Court is of the considered opinion that as Keba decision dated 30.11.2015 had already been passed before the filing of this writ petition, the petitioner ought to have challenge the Keba decision by way of appeal as provided for under the said 1945 Regulation.

25) This Court is also inclined to record that the respondent No.4 herein had filed his affidavit-in-opposition on 25.02.2016. The said affidavit- in- opposition was sworn on 18.01.2016. It is seen that the said affidavit-in- opposition has not been verified at all. In paragraph 18 of the said affidavit, containing verification, the respondent No. 4 has not mentioned the serial numbers of any paragraphs containing submissions that are true to his knowledge and no paragraphs numbers are indicated, which are based on matters on record or which are true to his information derived thereof, believed to be true. Therefore, it would appear as if all the statements made in the said affidavit- in- opposition are mere submissions made before this Court. Under the circumstances, the verification of the said affidavit-in-opposition is held to be not proper and, as such, this Court is unable to accept the correctness of any statements made in the said affidavit- in- opposition. Paragraph 18 of the said affidavit-in- opposition is quoted below:

"18. That the statement made in this affidavit and paragraphs are true to the best of my knowledge and those made in paragraphs..... are being matter of records are true to my information derived there from and rest are my humble submission before this Hon'ble court."

26) As this Court has not taken cognizance of the statements made by the respondent No.4 in their affidavit- in- opposition, this Court is not

inclined to give its opinion whether the respondent No.4 could agitate the cause of the persons whose signatures were claimed to have been allegedly forged for creating Keba decision dated 04.04.2002, in the absence of any declaration to that effect in the Village Keba decision dated 30.11.2015. The question is left open to be answered in an appropriate proceeding, if an occasion so arises in future.

27) In the hearing held on 08.05.2018, this Court had posed a question to the learned counsel for both sides to apprise the Court about the source of power under which the LPCs are issued. Although divergent views were expressed, but the learned Counsels for the parties agreed that LPCs were being issued under Office Memorandum No. LR-31/84 dated 19.12.1988 issued by the Land Reforms Department, Government of Arunachal Pradesh. As per the said O.M., the purpose of issuing LPCs to the owners of private land was to enable them to avail financial assistance from various Banks including Arunachal Pradesh State Co-operative Apex Bank, Tea Board, Coffee Board, Rubber Board, Industrial Development Bank of India, etc. Thus, this Court is not inclined to accept the submissions made by the learned Counsel for the petitioner that LPCs are issued in exercise of powers conferred under the Arunachal Pradesh (Land Settlement and Records) Act, 2000 or under The Arunachal Pradesh Land Settlement & Records Rules, 2012 and consequently, this Court is unable to accept that against the issuance of LPCs, appeal or revision would lie under Chapter-VIII of the Arunachal Pradesh (Land Settlement and Records) Act, 2000, as portrayed by the learned counsel for the petitioner. However, the above observation of this Court is not intended to be an authoritative decision on source of power for issuing LPCs, which is left open to be decided in future in a more appropriate case. Similarly, in view

of the reason for issuing LPC, as contained in the above referred O.M. dated 19.12.1988, the question where the LPC constituted a document of title for a private land or not is also left open for being decided in a more appropriate case.

28) Now coming to the decision of the Village Keba, as communicated by letter dated 30.11.2015, this Court is of the considered opinion that the decision by the said Keba is merely a recommendation by the Keba. This Court does not find any provision in the Assam Frontier (Administration of Justice) Regulation, 1945 prohibiting a Village Keba to make any recommendation. The Keba decision dated 30.11.2015 cannot be construed as if the Keba had cancelled/ revoked and/or annulled the LPC issued in favour of the petitioner.

29) Therefore, in the absence of any challenge to the Village Keba dated 30.11.2015, this Court does not find this to be fit and proper case for revoking/ recalling/ setting aside the order dated 09.11.2015 (Annexure-V) issued by the Additional Deputy Commissioner, Basar as the said order has already been acted upon by the Village Keba by convening a Keba meeting on 30.11.2015, which had culminated in passing of the Village level Keba decision as communicated as per letter dated 30.11.2015 (Annexure-IX).

30) Moreover, as this Court has not been called upon to decide the legality and illegality of the Village Keba decision dated 30.11.2015 (Annexure-IX), this Court is not inclined to express any opinion whether or not the village authorities have any authority to declare the LPC dated 12.02.2015 as ambiguous and not applicable to the Village or to pass any

direction to the Additional Deputy Commissioner, Basar to refrain from acting upon the decision of the Village Keba dated 30.11.2015. Moreover, as the authorities concerned has not yet taken any decision on the recommendation made by the Village Keba decision dated 30.11.2015, in the opinion of this Court, it would be premature for this Court to give any opinion as regards the prayer Nos. III and IV made in the writ petition. Under the circumstances, in the opinion of this Court, the only remedy available to the petitioner herein is to challenge the Village Keba decision in accordance with law, if so advised. In the further opinion of this Court, the petitioner is left with yet another opportunity to challenge the cancellation of the LPC by the competent authority, if so advised.

31) As per the office note dated 23.11.2015 (Annexure-VII series to this writ petition) (pp. 54-56), as the authorities have made a note in the note sheet of the concerned file that the petitioner herein can always come up for review/appeal under Section 46 of the Assam Frontier (Administration of Justice) Regulations, 1945, in the opinion of this Court, the petitioner has alternative remedy and, as such, this Court is not inclined to use the discretionary powers under Article 226 of the Constitution of India for deciding the issue raised in the present writ petition in view of the alternative remedy available. Hence, as observed in the preceding paragraph, this Court is inclined to provide that if any appeal and/or any other proceeding is filed by the petitioner within a period of 1(one) month from today, the petitioner shall be entitled to claim exclusion of the period time from 02.12.2015, the date of filing of the present writ petition till the outer period from 1(one) month of this order, as time consumed for bona fide litigating before this Court as provided under Section 14 of the Limitation Act, 1963. The petitioner shall

be permitted to agitate the points/ issues raised in the present writ petition in such appeal and/or any other proceeding. There shall also be no bar for the petitioner to avail any other remedy as may be available to him in accordance with law.

32) For the reasons indicated above, this writ petition fails. Accordingly, this writ petition stands dismissed. There shall be no order as to cost.

33) Let the records produced by the Additional Deputy Commissioner, West Siang District, Basar on 07.05.2018 be returned back to Ms. G. Ete, the learned Addl. Senior Government Advocate, appearing on behalf of the State respondents No. 1 and 3.

JUDGE

Mkumar.