

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2025
(Arising out of SLP(C) No. _____ of 2025)
[Diary No.2247/2025]

STATE OF MIZORAM & ORS.

APPELLANTS

VERSUS

VANLALDAWNGLIANA

RESPONDENT

O R D E R

1. Delay condoned.
2. Leave granted.
3. The State of Mizoram, District Collector, Lunglei, and other Authorities are aggrieved by order dated 01.10.2024 passed by the High Court of Guwahati at Aizawl, whereby the State's First Appeal arising out of Suit No.01/2012, directed against the judgment dated 28.01.2022 of the District Court, has been dismissed on account of inordinate delay and laches. Vide that judgment, the suit filed by the respondent-plaintiff was decreed and he was held entitled to payment of rental compensation from 1983 till date.
4. We are informed that the amount of rental compensation comes to approximately Rs.88,14,000/-.
5. It may also be noticed that the District Court decreed the suit on 28.01.2022, against which, the appellants chose to file the First Appeal in March 2024.
6. Not only this, the Authorities miserably failed to

give any plausible explanation for inordinate delay in filing appeal, as a result of which, the High Court, vide the impugned order, dismissed the application for condonation of delay. The First Appeal resultantly met with the same fate.

7. We have heard learned Advocate General for the appellants as well as learned counsel for the respondent, who has entered appearance, although formal notices are yet to be issued.

8. What seems to us is that the unexplained delay in approaching the High Court was caused primarily on account of one of the two reasons:

(i) either the Authorities were satisfied about the judgment and decree dated 28.01.2022, and they did not deem it appropriate to impugn the same;

(ii) or it is a case of sheer negligence on the part of the Administrative Authorities, who ought to have taken timely action to protect the perceived public interest.

9. While we do not find any apparent error in the view taken by the High Court, however, keeping in view the persistent prayer made by learned Advocate General that the High Court ought to have heard the State on merits, we are inclined to provide such an opportunity provided that:

(i) The appellants deposit the entire amount of compensation with the Registry of the High Court within four weeks;

(ii) 25% of the deposited amount shall be released in

favour of the respondent unconditionally.

(iii) The balance 75% amount shall be kept by the High Court in a high interest-bearing FDR account of a Nationalized Bank. The outcome of the First Appeal will determine the fate of that amount. In case the High Court finds that the District Court has rightly decreed the claim of the respondent, the balance amount along with the interest accrued thereon shall be released in favour of the respondent.

(iv) The Chief Secretary of the State is directed to hold a Fact-Finding Enquiry against the officers/officials, who are *prima facie* responsible for the inordinate delay and take suitable action against them. A compliance report to this effect shall be submitted to the High Court in the pending proceedings.

10. The State appears to have vindictively registered FIR bearing Case No.117/2025 in order to pressurize the respondent. The allegation of alleged forgery pertains to the year 1979 when the respondent was one year old. Consequently, we deem it appropriate to invoke our powers under Article 142 of the Constitution of India and hereby quash P.S. Case No.117/2025 registered on 21.07.2025 and all the proceedings arising therefrom. It is made clear that the dispute being essentially civil in nature, the controversy will have to be decided by the High Court in the First Appeal and not through coercive actions like criminal prosecution. Ordered accordingly.

11. Subject to the above-stated conditions, we set aside the impugned order and judgment of the High Court

dated 01.10.2024 and remit the case to the High Court to decide the same afresh only when the above-mentioned conditions are complied with.

12. The appeal is, accordingly, disposed of.

.....J.
(SURYA KANT)

.....J.
(JOYMALYA BAGCHI)

New Delhi;
July 28, 2025

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL)..... Diary No(s).2247/2025

[Arising out of impugned final judgment and order dated 01-10-2024 in IA(C) No.63/2024 passed by the Gauhati High Court]

STATE OF MIZORAM & ORS.

Petitioner(s)

VERSUS

VANLALDAWNGLIANA

Respondent(s)

(IA No. 159207/2025 - CONDONATION OF DELAY IN FILING, IA No.159213/2025 - CONDONATION OF DELAY IN REFILING/CURING THE DEFECTS, IA No. 159211/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 159209/2025 - EXEMPTION FROM FILING O.T., IA No. 159214/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 28-07-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For Petitioner(s) :Mr. Biswajit Deb Sr. Adv, Advocate General
Mr. Anando Mukherjee, AOR
Mr. Shwetank Singh, Adv.

For Respondent(s) :Mr. D. Abhinav Rao, AOR
Mr. Abhishek Das, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Delay condoned.
2. Leave granted.
3. The appeal is disposed of in terms of the signed order.
4. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR

(signed order is placed on the file)