

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 16 of 2024

Date of Order :19.03.2024

1. Bethany Society, a society registered under the Registration of Societies Act 1860 situated at Lady Veronica Lane, Laitumkhrah, Shillong, Meghalaya
Represented by its Secretary,
Shri. Camro Noronha,
S/o (L) John Noronha,
R/o Bishop Cotton Road,
Shillong, East Khasi Hills District,
Meghalaya.
2. Congregation of Christian Brothers in India,
A society registered under the Societies Registration Act 1860, having its registered Head office at 69, Bow Bazar Street, Calcutta, West Bengal, represented by
Br. Simon Coelho,
S/o Mr. Anthony Coelho,
R/o St. Edmunds College,
Laitumkhrah, Shillong-3,
Secretary Governing Body,
St. Edmund's College (Rector)
of the Campus, Shillong,
East Khasi Hills District, Meghalaya.
3. The society for the welfare of the disabled,
a society registered under the Registration of Societies Act 1860 situated at Holy Cross Villa, Red Hill Road, Laitumkhrah,
Shillong – 793003 represented by its
Secretary Smti Mandakini Basu,
D/o (L) S.M.Dutta,
R/o Femilya, Plot No. 14 Motinagar,
Shillong- 793001.

4. Divya Jeevan Foundation Society,
a society registered under the Registration
of Societies Act, 1860 situated at Lady Veronica Lane,
Laitumkhrah, Shillong – 793003 represented by
its Secretary, Smti Shabari Chaudhury,
D/o (L) Swadesh Chaudhury,
R/o Shibnagar College Road,
Agartala, Colle Tripura – 799004.
5. Society for Promotion of Eye Care and Sight,
a society registered under the Registration of
Societies Act, 1860 situated at Lady Veronica Lane,
Laitumkhrah, Shillong – 793003 represented by
its Secretary, Dr. J.V. Basaiawmoit,
S/o (L) N.Basaiawmoit,
R/o Lady Veronica Lane,
Laitumkhrah, Shillong – 793003.
6. Smti Sabita M. Dohling,
D/o (L) Doreen Dohling,
R/o Verinica Lane, Laitumkhrah, Shillong,
East Khasi Hills District, Meghalaya.
7. Smti Mary Jessica Wankhar,
D/o (L) Bibiana Wankhar,
R/o Market View, Laitumkhrah, Shillong.
8. Smti Esabella Marbaniang,
D/o George Ripnar,
R/o Mary Rice Centre,
Veronica Lane, Laitumkhrah, Shillong,
East Khasi Hills District, Meghalaya.

... Petitioners

-Vs-

1. Union of India,
Represented by the Secretary to the Govt. of India,
Ministry of Housing and Urban Poverty Alleviation,
Nirman Bhavan, New Delhi.

2. State of Meghalaya, represented by the Chief Secretary,
Govt. of Meghalaya.
3. The Commissioner and Secretary,
Road and Transport Department,
Shillong, Meghalaya.
4. The Commissioner & Secretary of Urban Affairs,
Govt. of Meghalaya.
5. The Deputy Commissioner,
East Khasi Hills,
Shillong.
6. Meghalaya Urban Development Authority,
represented by its Secretary,
Shillong.
7. The Commissioner and Secretary,
Labour and Social Welfare Department, Shillong.
8. The Under Secretary (Works),
Govt. of Meghalaya,
Public Works (R&B) Department, Shillong.
9. The Chief Engineer (NH),
PWD (Roads), Meghalaya,
Shillong.
10. The Executive Engineer (Roads),
Public Works Department, Central Division,
East Khasi Hills District, Meghalaya.
11. The Chief Executive Officer,
Shillong Municipal Board,
East Khasi Hills District,
Meghalaya.
12. The Town Vending Committee,
Shillong, East Khasi Hills District,
Meghalaya.

13. National Cadet Corps,
represented by its Director General,
Pocket 8, Block B, Sector – 19,
Rohini, New Delhi – 110089.

...Respondents.

Coram:

Hon'ble Mr. Justice H.S.Thangkhiew, Judge.

Appearance:

For the Petitioner/Appellant(s) : Mr. K.Paul, Sr. Adv. with
Mr. S.Chanda, Adv.

For the Respondent(s) : Ms. S.Rumthao, Adv. vice
Dr. N.Mozika, DSGI for R 1.
Mr. K.P.Bhattacharjee, GA for
R 2-5, 7-10.
Mr. Philemon Nongbri, Adv. for
R 6&12.

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| i) | Whether approved for reporting in
Law journals etc: | Yes/No |
| ii) | Whether approved for publication
in press: | Yes/No |
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ORAL

1. An affidavit has been filed by the State respondents indicating that presently no concrete steps have been taken for shifting the hawkers as claimed by the writ petitioners.

2. In that view of the matter, at this stage nothing remains for consideration. However, Mr. K.Paul, learned Sr. counsel assisted by Mr. S. Chanda, learned counsel for the petitioners submitted that before any such other exercise is undertaken, consultation process should be gone into as to involve other stake holders who might be affected by any relocation.
3. The submission is noted, it is expected that before any further action is initiated, the same should involve the petitioners herein and further that the process should be in accordance with law.
4. Matter accordingly stands disposed of.

Judge

Meghalaya
19.03.2024
"Samantha PS"