

HIGH COURT OF MEGHALAYA
AT SHILLONG

MC[WP(C)] No.32 of 2024 in
WP(C) No. 239 of 2020

Date of Order: 14.03.2024

1. Smti. Petchira R. Marak
D/o (L) Rahen A. Sangma.
Resident of Chibragre, P.O. Rongram,
P.S. Tura, West Garo Hills District,
Meghalaya.

2. Lt. Nujin R. Marak,
Resident of Chibragre Akhingland,
West Garo Hills District, Meghalaya.

Vs.

1. State of Meghalaya represented by the
Chief Secretary Government of Meghalaya Shillong.

2. Commissioner and Secretary to the
Government of Meghalaya Revenue and
Disaster Management Department,
Meghalaya, Shillong.

3. Joint Secretary to the Government of
Meghalaya Revenue and Disaster
Management Department, Meghalaya, Shillong.

4. Commissioner and Secretary Government of Meghalaya,
Public Work Department (PWD)
Meghalaya, Shillong.

5. Executive Engineer P.W.D (Road) NH-cum
Tura Central Division, Tura, West Garo Hills
District, Meghalaya.

6. Commissioner and Secretary to the
Government Meghalaya, Forest and
Environment Department Meghalaya, Shillong.

7. Principal Chief Conservators of Forest and Environment Department, Government of Meghalaya, Meghalaya, Shillong.
8. Divisional Forest Officer, Forest and Environment Department, Government of Meghalaya, West and South-West Garo Hills District (Territorial) (Division) Tura, Meghalaya.
9. Commissioner and Secretary to the Government of Meghalaya, Agriculture Department, Meghalaya Shillong.
10. Commissioner and Secretary to the Government of Meghalaya, Horticulture Department, Meghalaya Shillong.
11. Commissioner and Secretary to the Government of Meghalaya, Fishery Department, Meghalaya, Shillong.
12. Collector West Garo Hills District Tura, Meghalaya.
13. Extra-Assistant Commissioner (Revenue), West Garo Hills District Tura, Meghalaya.
14. Garo Hills Autonomous District Council represented by its Secretary (Revenue) Tura.
15. Union of India represented by its Secretary, Ministry of Road Transport and Highways, New Delhi.
16. National Highways and Infrastructure Development Corporation (NHIDCL), Represented by General Manager, 3rd Floor, House no 206 Law College Road Dhankheti near Springfield School, Meghalaya, Shillong.
17. Meghalaya Institute of Governance (MIG), Lumpyngad Cottage, Bishop Cotton Road, Shillong – 1.

Coram:

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Appellant(s) : Ms. P. Biswakarma, Adv. vice
Mr. H. L. Shangreiso, Sr. Adv.

For the Respondent(s) : Mr. S. Sen, Sr.GA. with
Ms. Z. E. Nongkynrih, GA. (R: 1 – 13)
Ms. N. Rajee, Adv. (R: 14)
Mr. R. Debnath, CGC. (R: 15 &16)
Mr. K. Ch. Gautam, Adv. (R: 17)

ORAL:-

Heard learned counsels appearing for the parties.

This is an application for striking out the names of the applicants from the array of parties in W.P.(C) No. 239 of 2020 wherein applicants are writ petitioners No. 54 and 52 respectively.

This application has been preferred primarily on the ground that the applicants herein have already received the amount of compensation and do not have any further cause of action surviving in this matter.

Mr. S. Sen, learned Senior GA for the State-respondent submits that from the cause-title of this application, it appears that the petitioner No.2 has passed away and hence, no application is required to be filed for striking out her name.

The fact that the applicant No.2 has expired is not disputed by the learned counsel for the applicant and, in such a situation, on the prayer of the learned counsel for the applicant, the name of the applicant No.2 (writ petitioner No.52) is allowed to be struck off from the array of parties in W.P.(C) No. 239 of 2020.

Insofar as the applicant No.1 (writ petitioner No.54) is concerned, since it is the stand of the party that she has received the compensation and would not like to press the writ petition, her name shall also stand struck off from the array of parties in W.P.(C) No. 239 of 2020.

Necessary correction may be made in the cause-title of the W.P(C)
No. 239 of 2020 by the Registry.

With the above, this Misc. writ petition stands disposed of.

Judge

Meghalaya
14.03.2024
"Biswarup PS"