



Serial No.05 & 6
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 266 of 2019 with
WP(C) No. 267 of 2019

Date of Order: 10.06.2024

1. Shri. Om Prakash Goenka,
S/o (L) K.L. Goenka,
R/o Shakti Bhawan, Bunglaw No.29,
Shillong Cantonment,
Shillong – 793 001

2. Shri. Sajjan Goenka,
S/o (L) K.L. Goenka,
R/o Shakti Bhawan, Bunglaw No.29,
Shillong Cantonment,
Shillong – 793 001.

3. Shri. Kamal Kumar Goenka
S/o (L) Debi Prasad Goenka,
R/o Shakti Bhawan, Bunglaw No.29,
Shillong Cantonment,
Shillong – 793 001.

:::::PETITIONERS

-VERSUS-

1.Union of India,
Ministry of Defence, represented by the
Secretary to the Government of India,
Ministry of Defence, New Delhi.

2. The State of Meghalaya
represented by



The Chief Secretary to the Government
of Meghalaya, Shillong.

3. The Deputy Commissioner – cum –
Collector, East Khasi Hills District,
Shillong, Meghalaya.

4. Shillong Cantonment Board, Shillong,
represented by its
Chief Executive Officer.

5. Defence Estate Officer, Guwahati Circle,
Narangi Military Station, P.O. Satgaon,
Old Army School Building, Guwahati
(Assam) – 781027.

::::RESPONDENTS

1. Shri. Rajendra Rapsang,
S/o (L) K.N.Das,
R/o Jaiaw Langsning,
Shillong – 793 002.

::::PETITIONER.

-VERSUS-

1. Union of India,
Ministry of Defence, represented by the
Secretary to the Government of India,
Ministry of Defence, New Delhi.

2. The State of Meghalaya
represented by
The Chief Secretary to the Government
of Meghalaya, Shillong.

3. The Deputy Commissioner – cum –
Collector, East Khasi Hills District,



Shillong, Meghalaya.

4. Shillong Cantonment Board, Shillong,
represented by its
Chief Executive Officer.

5. Defence Estate Officer, Guwahati Circle,
Narangi Military Station, P.O. Satgaon,
Old Army School Building, Guwahati
(Assam) – 781027.

:::::RESPONDENTS

Coram:

Hon'ble Mr. B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Appellant(s)	:	Mr. W. Jyrwa, Adv.
For the Respondent(s)	:	Ms. K. Gurung, Adv (R:- 1 & 5). Mr. N.D. Chullai, AAG with Mr. E. R. Chyne, GA (R:- 2 & 3). Mr. S. P. Mahanta, Sr. Adv. With Mr. D. Dkhar, Adv. (R:- 4).

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

ORAL:-

This set of two identical writ petitions have been filed with prayer for quashing and setting aside the supplementary demand letters, quashing the proceedings initiated before the Court of the Estate Officer and also for quashing of clause 1 (iii) in the interim policy dated 10-03-



2017, as being *de-hors* the provision of the Cantonment Land Administration Rules, 1925 and the Cantonment Land Administration Rules, 1937. The petitioners also prayed for direction for framing of Final Policy regarding leased sites whose term have expired.

Mr. S. P. Mahanta, learned Senior Counsel assisted by Mr. D. Dkhar, learned Counsel appearing for the respondent No.4 submits that the issues and contentions raised in these writ petitions have already been decided by a Coordinate Bench of this High Court in WP(C) No. 343 of 2022 and WP(C) No. 344 of 2022 by Judgment and Order dated 05-06-2024 whereby the writ petitions are dismissed on merits. He submits that the present writ petitions should also be decided in the light of the said Judgement and Order. Mr. N. D. Chullai, learned AAG assisted by Mr. E. R. Chyne learned GA appearing for the State-respondents No.2 & 3 supports the submission made on behalf of the respondent No.4.

Mr. W. Jyrwa, learned Counsel appearing for the petitioner does not dispute the submission made on behalf of the respondents and submits that the necessary order may be passed by this Court.

In view of the above, this set of two writ petitions are also dismissed in terms of the Judgment and order dated 05-06-2024 passed in WP(C) No. 343 of 2022 and WP(C) No. 344 of 2022. No cost.

JUDGE

Meghalaya
10.06.2024
" Biswarup-PS "

BISWARUP
BHATTACHARJEE

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