



Serial No.09
Daily List

HIGH COURT OF MEGHALAYA
AT SHILLONG

MC (PIL) No.1/2021

Date of Order :23.07.2025

Registrar General, High Court of Meghalaya

..... Applicant

Vs.

1. State of Meghalaya

2. Stied Dkhar

3. Patricia Nongsiej

4. Mac Lyngdoh Shira

..... Respondents

Coram:

Hon'ble Mr. Justice I.P. Mukerji, Chief Justice

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Applicant

: Mr. A. Dkhar, Adv vice
Mr. P. Yobin, Amicus Curiae

For the Respondents

: Mr. N.D. Chullai, AAG with
Ms. R. Colney, GA
Mr. H.L. Shangreiso, Sr.Adv with
Ms. M. Hajong, Adv for R/2
Mr. K. Paul, Sr.Adv with
Mr. M.L. Nongpiur, Adv for R/3
Mr. S. Chakrawarty, Sr.Adv with
Mr. E. Laloo, Adv for R/4

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

ii) Whether approved for publication in press: Yes

Note: For proper public information and transparency, any media reporting this judgment is directed to mention the composition of the bench by name of judges, while reporting this judgment/order.



JUDGMENT: (per the Hon'ble, the Chief Justice) (Oral)

We have examined in detail the order dated 2nd August, 2017 in ***SLP (C) No.15008 of 2016 - Billinda Lapang & ors v. State of Meghalaya & ors.***

The crucial part of the said judgment and order is reproduced below:

“The only other issue which survives is whether the public money has been squandered, as suggested, by offering high rate of compensation which is against the rate offered by the owner and the rate at which she purchased just before acquisition. Question as to who is entitled to compensation may also require consideration. This matter may require consideration. Pending such consideration, we injunct Patricia Nongsiej from parting with the money available with her which aspect may be overseen by the Deputy Commissioner concerned and similarly money available with the Stied Dkhar may also be kept intact and the Deputy Commissioner concerned may oversee that aspect also.

We request the Chief Justice of High Court of Meghalaya to nominate a District Judge to determine this matter as far as possible within three months from the date of receipt of a copy of this order. Order of the Chief Justice may be put on the High Court website within two weeks. Any parties interested in the matter are at liberty to put forward their claims. The report of the District Judge may be submitted to the High Court which may be considered and decided on the judicial side.

The appeal is disposed of in the above terms.

Pending applications, if any, shall also stand disposed of.”

Further to our earlier order, the learned Special Judicial Officer, East Khasi Hills, Shillong started ***LA Case No.1 of 2025 - Smti. Steid Dkhar & ors v. The Collector, Ri Bhoi District, Nongpoh & anr.*** She pronounced her judgment and order on 20th June, 2025. The learned Special Judicial Officer, inter alia, held that the compensation of ₹115/- (per sq. foot) offered was not excessive and had been calculated according to Section 26



of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

The client of Mr. K. Paul, Senior Advocate is the transferor of the land and has received 80 per cent of the compensation payable at the above rate. This appeal has been preferred, inter alia, to claim the balance 20 per cent.

The contention of the other respondents is that the amount of compensation received by the transferor is far more than the amount receivable. According to the transferor, the respondents do not have any stake in the property.

“Question as to who is entitled to compensation may also require consideration”. This was another direction in the said order of the Supreme Court.

This issue as to entitlement of compensation has been carefully gone into and determined by the learned Special Judicial Officer.

We only observe that this reference was in a public interest litigation. Reference to the learned Special Judicial Officer, East Khasi Hills, Shillong, who is also by designation a District Judge, was further to an order of the Supreme Court in a public interest litigation. It was not a reference under Section 64 read with Section 26 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

In those circumstances, we treat the judgment and order dated 20th June, 2025 as a final judgment/decreed made by the learned Special Judicial Officer in the exercise of her original jurisdiction. Any party aggrieved by



the judgment/decreed or any part of it shall be at liberty to take steps in accordance with law.

We only clarify and direct that 20 per cent of the compensation amount which is withheld by the State will continue to be withheld for a period of eight weeks from date after which it shall be released to the said transferor, if there is no order to the contrary. The period between 20th June, 2025 and pronouncement of this order shall be excluded in calculating the period of limitation for any appeal or application or other proceeding.

MC (PIL) No.1 of 2021 is accordingly disposed of.

(W. Diengdoh)
Judge

(I.P. Mukerji)
Chief Justice