



Serial No.16
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 160 of 2024

Date of Decision: 13.08.2025

1. Smti. Ortimai Thangkhiew,
Daughter of (L) Jiedmon Thangkhiew.
2. Shri. Winningroy Thangkhiew,
Son of (L) Patrit Thangkhiew.
3. Smti. Saramon Thangkhiew,
Daughter of (L) Patrit Thangkhiew.
4. Smti. Bapramon Thangkhiew,
Daughter of (L) Patrit Thangkhiew.

...Petitioners

-Versus-

1. The State of Meghalaya
Represented by the Chief Secretary of Meghalaya,
Government of Meghalaya.
2. The Deputy Commissioner,
Ri-Bhoi District,
Nongpoh, Meghalaya.
3. The Additional Deputy Commissioner (Revenue)
Ri-Bhoi District, Nongpoh,
Meghalaya.
4. Smti. Nangrilang Thangkhiew,
Resident of Lamavilla, Shillong,
Myllem Syiemship,
East Khasi Hills District, Meghalaya.



5. Shri. Esingroy Thangkhiew,
R/o Lumjingsuk, Block-A,
Madanrting, Shillong-793021,
East Khasi Hills District,
Meghalaya.
6. Shri. Bresslyeofelus Thangkhiew,
R/o Mawlai Iewrynghep, Shillong-793017,
East Khasi Hills District,
Meghalaya.
7. Shri. Livingstone Thangkhiew,
R/o Dong Umbah, Umpling,
Shillong-793006,
East Khasi Hills District,
Meghalaya.

...Respondents

Coram:

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

Appearance:

For the Petitioner/Applicant(s) : Mr. S.Marpan, Adv.

For the Respondent(s) : Mr. S.Sen, GA with
Ms. R.Colney, GA for R 1-3.
Mr. K.S.Kharshiing, Adv. for R 4.
Ms. G.C.Marboh, Adv. for R 5-7.

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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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JUDGMENT AND ORDER (ORAL)

1. Mr. S.Marpan, learned counsel appearing for the petitioners, submits today that the matter may be closed, as the writ petitioners have since preferred an application under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

2. Mr. S.Sen, learned GA appearing for the respondents No. 1, 2 &3, has no objection to the matter being closed as the same will be dealt with by the authority under Section 64.

3. Mr. K.S.Kharshiing, learned counsel appearing for the respondent No. 4, has however, raised objections as to the maintainability of the writ petitioners' application under Section 64 of the Act, and has referred to Section 63 of the Act, and submits that as jurisdiction before the Civil Court is barred, once they have come before this Court, they are estopped from approaching any forum.

4. On hearing the learned counsel for the parties, it is noted that the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, is a special Act, which has been enacted for the purposes of matters related to the acquisition of land, and as such, any matter



or dispute related thereto, apart from where fundamental rights of citizens are said to be violated, will surely lie before the authority prescribed under the Act itself. The objection of Mr. K.S.Kharshiing, learned counsel for the respondent No. 4, is therefore not tenable.

5. Accordingly, the writ petition is closed and disposed of, however, with the direction that the authority shall give due consideration on the issue of condonation, especially on the time spent pursuing the matter before this Court. It is needless to add, proper notice shall be served upon the respondents when the matter is taken up before the said authority.

6. Matter accordingly stands closed and disposed of.

Judge