



Serial No.05
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP (C) No.190/2019

Date of order: 21.03.2025

1. Dhyan Foundation, a Non-Governmental Organisation having its registered office at A-80, South Extension Part-2, New Delhi.

2. Smti. Tankala Naga Chandrani, W/o Shri K.V. Kannan, authorised volunteer, Dhyan Foundation R/o Plot No.18, Kanta Reddy Nagar, Attapur, Hydrebad, presently residing at Dhankheti, Shillong.

..... Petitioners

Vs.

1. State of Meghalaya, represented by the Chief Secretary, Government of Meghalaya, Shillong, East Khasi Hills District, Meghalaya.

2. Commissioner and Secretary Home (Police) Department, Government of Meghalaya, Shillong.

3. Commissioner and Secretary, Animal Husbandry & Veterinary, Government of Meghalaya, Shillong.

4. Director General of Police, Shillong, East Khasi Hills District, Meghalaya.

5. Superintendent of Police, Shillong, East Khasi Hills District, Meghalaya.

6. Inspector General, Border Security Force, East Khasi Hills District, Meghalaya.

7. Union of India, represented by the Secretary, Ministry of Home Affairs, Government of India, Department of Border Management.

8. Jaintia Hills Autonomous District Council, represented by Secretary, Jowai (JHADC), Jowai.

..... Respondents

Coram:

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

Appearance:

For the Petitioners : Mr. S. Chanda, Adv with
Mrs. R. Dutta, Adv

For the Respondents : Mr. N.D. Chullai, AAG with
Mr. A.H. Kharwanlang, Addl.Sr.GA
Mr. R. Debnath, CGC



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| 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: ORAL

This writ petition is pending in this Court for about five years.

Although a prayer for adjournment was made by learned counsel for the petitioners on behalf of his senior, this Court found that the issue was very short and that he was quite competent to go on with the matter. In the circumstances, this Court proceeded to hear out the writ petition.

The cause of action and reliefs claimed in this writ petition are substantially similar to those in the public interest litigation (*PIL No.2 of 2021-Gau Gyan Foundation v. Union of India & ors*) which was disposed of by a Division Bench of this Court by its order dated 26th May, 2023.

In this order a reliance was placed on a status report filed by the respondents further to an order dated 4th May, 2023..

The Court, on going through the status report expressed complete satisfaction with the steps taken by the respondents under the



Prevention of Cruelty to Animals Act, 1960 and the Rules framed thereunder with regard, inter alia, to the transportation and keeping of cattle and other animals, the method of slaughter, dealing with the skin fur, carcass, etc., after slaughter exposure to public view and treatment of the meat put up for sale in meat shops after slaughter and so on.

This writ has substantially the same cause of action with the only change that it challenges two orders of the respondents dated 21st December, 2018 and 8th February, 2019. These orders pertain to identification and creation of Gaushalas' for keeping cattle and livestock seized by the authorities in or near the international border in Meghalaya on the ground of illegal importation. The petitioners are aggrieved by the provision in these orders directing the authorities to obtain an order from the competent court for sale of the seized cattle. Learned counsel for the petitioners submits that if the cattle is sold, the authorities would have no control over the type or antecedents of the buyer or over his complying with the said Act and Rules.

I feel that such apprehension is unfounded. The authorities may exert the same power under the said Act and Rules over the buyer as they do in respect of the original owner.



In view of the order dated 26th May, 2023 disposing of the earlier writ (*PIL No.2 of 2021*), no further order needs to be passed in the writ save and except a direction that the authorities will keep on strictly complying with the said order dated 26th May, 2023 and also ensure that the buyer of cattle under the aforesaid impugned notifications strictly comply with the said Act and Rules and that the authorities take punitive action against them in case of violation.

This writ is accordingly disposed of.

(I.P. Mukerji)
Chief Justice

Meghalaya
21.03.2025
“Lam **DR-PS**”