



Serial No.08
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 447 of 2024

Date of Decision : 11.04.2025

1. Shri. Ajit Paul.
2. Shri. Mithun Dey.
3. Shri. Samir Kuri.
4. Shri. Prasanta Kumar Paul.
5. Shri. Rupon Paul.
6. Shri. Abdul Latif Ashrafi.
7. Shri. Jhantu Chandra Dey.
8. Shri. Gopal Paul.
9. Shri. Sayed Tarique Ali.
10. Shri. Chandra Kuri.
11. Shri. Rahul Kumar Shah.
12. Shri. Sujit Dhar.
13. Shri. Ashikul Hasan.
14. Shri. Sanju Kuri.
15. Shri. Sanjeet Kuri.
16. Shri. Manoj Paul.
17. Shri. Bimal Kuri.
18. Shri. Anuj Paul.
19. Shri. Bishu Ghosh.
20. Shri. Rajesh Paul.



21. Shri. Prajesh Paul.
22. Shri. Manoj Deb.
23. Shri. Nawal Mahto.
24. Shri. Kalam Uddin Barbhuiya.
25. Shri. Ranu Deb.
26. Shri. Dulon Modak.
27. Smti. Moni Das.
28. Shri. Sukdeb Debnath.

...Petitioner

-Versus-

1. The Khasi Hills Autonomous District Council, represented by its Secretary, Executive Committee, Shillong, East Khasi Hills District, Meghalaya.
2. Executive Member, I/c. Trade etc., Khasi Hills Autonomous District Council, Shillong, East Khasi Hills District, Meghalaya.
3. Licensing Officer, I/c. Trade etc., Khasi Hills Autonomous District Council, Shillong, East Khasi Hills District, Meghalaya.

...Respondents.

4. Syiem of Myllem, Myllem Syiemship, Mawkhar, East Khasi Hills District, Meghalaya.

...Pro-Forma Respondents.



Coram:

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

Appearance:

For the Petitioner/Applicant(s) : Mr. H.L.Shangreiso, Sr. Adv. with
Mr. T.Dkhar, Adv.

For the Respondent(s) : Mr. T.T.Diengdoh, Sr. Adv. with
Mr. R.Kharsyad, Adv. for R 1-3.

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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. It is submitted by Mr. H.L.Shangreiso, learned Sr. counsel assisted by Mr. T.Dkhar, learned counsel for the petitioner that pursuant to the order dated 12-04-2024, passed by this Court in WP(C). No. 315 of 2023, the writ petitioners have since obtained the NOC from the authority concerned i.e. the Syiem of Myllem, but however, the applications are still yet to be disposed of by the respondents.

2. Mr. T.T.Diengdoh, learned Sr. counsel assisted by Mr. R.Kharsyad, learned counsel on behalf of the respondents No. 1-3 has submitted that since the NOCs have been obtained, the District Council respondents will



take up the matter for consideration in accordance with law. He also prays that the matter may be closed to allow the respondents to complete the exercise.

3. Having heard learned Sr. counsel for the parties, it is seen that this Court by order dated 12-04-2024 had while disposing of the writ petitions had recorded at para 6, 10 and 11 as follows:

“6. Mr. V.G.K.Kynta, learned Sr. counsel assisted by Ms. C.Nongkhlaw, learned counsel for the respondent Nos. 1-3, has submitted that the writ petitioners had all along been operating without a valid license issued by the competent authority i.e., the District Council, and their applications were not processed due to the fact that they had not obtained NOC from the proforma respondent No. 4, who is the traditional head who exercises control over these areas. He however fairly submits that once the NOCs are obtained, there will be no hindrance to process the applications of the writ petitioners in accordance with law.

10. As such, shorn of other details, the only directions necessary for disposal of the present writ petitions are as follows:

(i) The writ petitioners in both the writ petitions numbering 28 in numbers, shall file applications for grant of NOC from the proforma respondent No. 4 within six weeks from today.

(ii) The proforma respondent No. 4 (Syiem of Myllem) on receipt of these applications, shall thereafter dispose of the same within a period of eight weeks.



(iii) After disposal of the applications, the writ petitioners will then approach the respondent Nos. 1-3 for processing of their applications. The applications shall then be processed by the respondent No. 1-3 in accordance with law and be disposed of as expeditiously as possible thereafter.

11. With the above directions, the writ petitions accordingly stands disposed of. Needless to add, till the entire process is finally over before the District Council, status quo as on today shall be maintained.”

4. The grievance in the present petition it is seen is only directed against the non-disposal of the applications after obtaining the NOCs.

5. Therefore, in the considered view of this Court, this matter can be closed at this stage by allowing the respondents to complete the entire process within a period of 3(three) months from the date of this order. Though the order dated 12-04-2024 has covered all contingencies, it is again reiterated that till the entire process is finally over before the District Council respondents, status quo shall be maintained.

6. Writ petition accordingly stands disposed of.

Judge