



Serial No.01
Daily List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WA No.70/2025

Date of Judgment: 27.11.2025

Shri Rishan Pariat

..... Appellant

Vs.

1. The State of Meghalaya represented by its Chief Secretary.
 2. The Commissioner of Excise, Government of Meghalaya.
 3. The Deputy Commissioner (Excise), East Khasi Hills District, Shillong.
 4. The Deputy Secretary to the Government of Meghalaya, Excise, Registration, Taxation and Stamps Department.
 5. Inspector of Excise, East Khasi Hills District, Shillong.
 6. Dorbar Shnong, represented by the Secretary, Nongkhyriem, Nongthymmai, Shillong-14
- Respondents

Coram:

Hon'ble Mr. Justice Soumen Sen, Chief Justice
Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Appellant : Mr. H.L. Shangreiso, Sr.Adv
Mr. W. Khongsni, Adv

For the Respondents : Mr. N. Syngkon, GA with
Mr. J.N. Rynjah, GA

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

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

The appeal is arising out of an order dated 11.11.2025 passed by the learned single judge in a writ petition in which the writ petitioner has complained that although a bar license was issued on 22.12.2023 and renewed on 16.05.2024 under the Meghalaya Excise Act after



compliance of all statutory requirements including obtaining of an NOC from the respondent No.6, the said NOC was, however, recalled by the respondent No.6 as a result of which, the writ petitioner was unable to carry on his business.

2. The matter was heard extensively before the learned single judge and submissions have also been made at the time of hearing of the writ petition. It appears that the NOC was recalled without following the provisions of the Meghalaya Excise Act (Assam Excise Act, 1910) particularly Section 28 of the said Act while recalling the NOC and thereby preventing the writ petitioner/appellant from carrying on his business.

3. The learned single judge has taken into consideration the fact that at the time of recalling the NOC, the writ petitioner was not afforded any opportunity to place his case and this has resulted in breach of the principles of natural justice. Keeping in mind that the trade in liquor is not a fundamental right or absolute right and the right to carrying on such trade is considered to be a privilege granted by the State under the relevant law. In paragraph 13 of the impugned order, certain directions had been given in deciding the issue as to whether the facts and circumstances justified recalling of the NOC and thereby not renew the bar license.



4. We do not find any reason to interfere with the said order as apparently it appears that there had been some grievances and certain objection raised regarding the issue of NOC to open two bars in Nongkhyriem by few members of the locality and it is for the administration to decide as to whether in the public interest, the NOC is required to be reinstated or recalled, as the case may be and the bar license may be renewed. However, as rightly pointed out by the learned single judge since any such decision taken is likely to affect the business of the writ petitioner and the procedure under Rule 191 is required to be followed, in our opinion, the learned single judge was justified in disposing of the writ petition with the directions mentioned in paragraph 13 of the impugned order. The time frame should be strictly adhered to by the administration in deciding the matter.

5. In view of the aforesaid, the writ appeal stands disposed of.

(W. Diengdoh)
Judge

(Soumen Sen)
Chief Justice