

Serial No. 37
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 100 of 2026

Date of Decision: 20.04.2026

1. Shri Bernard G. Marak
2. Shri Laibision Marak
3. Smt. Laidina Sangma
4. Smt. Nokme G. Momin
5. Smt. Rinna Sangma
6. Shri Standa Sangma
7. Smt. Tejeni Sangma
8. Shri Willonath Momin
9. Shri Winston Momin
10. Shri Wels Momin
11. Smt. Sentilla Sangma
12. Smt. Dabilla Sangma

.....Petitioner(s)

Versus

1. State of Meghalaya through its
Chief Secretary, Government of Meghalaya
 2. The Deputy Commissioner,
Competent Authority of Land Acquisition cum I/C Revenue,
East Garo Hills, Williamnagar.
 3. The General Manager,
National Highways and Infrastructure Development Corporation
Limited (NHIDCL), Meghalaya
 4. Union of India represented by
The Secretary of Ministry of Road Transport and Highways.
- Respondent(s)**
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Coram:

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

Appearance:

For the Petitioner(s) : Mr. P. Ghosh, Adv.

For the Respondent(s) : Mrs. T. Yangi B, AAG with
Ms. R. Colney, GA (For R 1&2)
Dr. N. Mozika, DSTI with
Ms. M. Myrchiang, Adv. (For R 4)

i)	Whether approved for reporting in Law journals etc:	Yes/No
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ii)	Whether approved for publication in press:	Yes/No
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JUDGMENT AND ORDER (ORAL)

1. The petitioners' prayer in the instant writ petition is for directions to issue to the respondents, the competent authority for land acquisition for consideration and for disposing of an application under Section 3H of the National Highways Act, 1956, within a time bound period, and also to direct to the respondent No. 2, to refer the dispute to the Principal Civil Court under Section 3(H) 3 of the National Highways Act, 1956.

2. An affidavit has been filed by the State respondents, wherein it has been stated that all the applications of the writ petitioners have been disposed on 13.02.2026. In this context, Mrs. T. Yangi B, learned AAG

has referred to the said order passed by the competent authority for land acquisition, wherein it has been clarified that there is no acquisition presently being undertaken either under NH-62 nor in NH-217, in respect of the land in question. She submits that there being no cause of action, the writ petition is therefore incompetent.

3. Mr. P. Ghosh, learned counsel for the petitioners however, has submitted that the land of the petitioners have been acquired as far back as in 2009, and as such the application under Section 3(H)(4), was made for payment of due compensation.

4. However, on the query of this Court, the learned counsel has not been able to substantiate his claim, inasmuch as, apart from the statement that the alleged acquisition is said to have happened in 2009, no other materials such as the notification, or other supporting documents have been filed.

5. In this view of the matter, this writ petition is closed and disposed of with liberty to the petitioners to take recourse to other alternate remedy, as may be admissible in law.

JUDGE

Meghalaya
20.04.2026
"V. Lyndem-PS"