



Serial No. 02
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No. 2 of 2024

Date of Decision: 10.08.2026

Ms. Geraldine G. Shabong,
D/o Late Maureen Shabong,
R/o Midpines, Lower New Colony
Laitumkhrah, Shillong.

... Petitioner(s)

Versus

- 1.State of Meghalaya represented by
The Commissioner & Secretary to the Government of Meghalaya,
Forest Department, Shillong, Meghalaya
2. The Chief Conservator of Forests, Govt. of Meghalaya,
Forest & Environment Department, Meghalaya
3. Divisional Forest Officer,
Khasi Hills Division, Govt. of Meghalaya
Forest & Environment Department,
East Khasi Hills District, Meghalaya
4. Deputy Commissioner,
East Khasi Hills District, Meghalaya
5. Range Forest Officer,
Shillong Range, Shillong
6. Chief Executive Officer,
Shillong Municipal Board, Shillong,
East Khasi Hills District, Meghalaya



7. Chief Engineer,
Public Works Department (Road)
Govt. of Meghalaya, Shillong.

.... Respondent(s)

Coram:

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

Appearance:

For the Petitioner(s) : Mr. S. Chanda, Adv. with
Mr. B. Snaitang, Adv.

For the Respondent(s) : Mr. A. Kumar, AG with
Ms. R. Colney, 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 |
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JUDGMENT AND ORDER (ORAL)

Per. H.S. Thangkhiew, Judge:

1. This PIL was filed by the petitioner with the following prayer: -
 - i) A writ in the nature of mandamus be issued directing the respondents to set aside all permits by which permission was granted for felling of trees in and around the Lower New Colony area, Laitumkhrah.
 - ii) A writ in the nature of mandamus be issued directing the respondents to withdraw/recall and or otherwise forbear from



giving effect to any decision taken for felling of trees in and around the Lower New Colony area, Laitumkhrah.

- iii) A writ in the nature of prohibition be issued restraining the respondents from felling of trees standing in and around the Lower New Colony area, Laitumkhrah.
- iv) To constitute an independent body/committee comprising of experts/environmentalist for proper assessment before felling of any healthy tree and also its upkeep when trees are planted post deforestation for any purpose.
- v) And on cause or causes being shown and after hearing the parties be further please to make the Rule absolute and/ or may pass such further or other other/orders as Your Lordships may deem fit and proper.

2. A perusal of the above noted prayers would show that the same were directed against the felling of trees in and around the Lower New Colony area, Laitumkhrah, and for constitution of an independent body/committee comprising of experts, environmentalist for proper assessment, before felling of healthy trees.

3. In the course of the proceedings, this Court of an order dated 07.02.2025, had directed as follows: -



“If any felling of trees has already been done irregularly or illegally it is irreversible. We direct that wherever such felling has taken place, the respondents will take steps to plant trees more or less of the same type or description, so as to restore the ecology of the area.

The State respondents are directed to disclose all pending applications for felling of trees in the above region. They shall ensure that all these applications are processed and disposed of strictly in accordance with the said Act and Rules. It should state the status the procedure followed and the outcome of each and every pending application. In respect of decisions already made allowing felling of trees but felling of trees not done till today, the respondent authorities shall keep the felling of trees in abeyance and review such decisions to ensure that they have been made in accordance with law. The above information and action shall be contained in an affidavit to be filed by the State by 28th February, 2025 with a copy served on the Advocate-on-Record for the petitioner.”

4. On 05.03.2026, when the matter was listed again, this Court then passed additional directions with regard to the pending applications for felling of trees and by order dated 09.04.2025, had directed for formation of a committee, as follows: -

“We also take judicial notice of the fact that without any application, taking the law into their own hands, many culprits are indiscriminately felling trees, then converting the trunks into logs, uploading them to transport vehicles and doing commercial transaction with them on a large scale.

In those circumstances, we pass the following directions today:

(i) Unless a particular tree is so imminently dangerous that it cannot be permitted to stand even for some time without causing danger to life and property, the local forest officials shall not permit felling of any tree.



(ii) None of the pending applications mentioned in the report dated 9th April, 2025 shall be further proceeded with by ordering felling of any tree.

(iii) The Chief Secretary of the State will constitute a Committee of three officials in which the Chief Conservator of Forests should be the first, an expert in Botany whether in government service or private service should be the second and a senior administrative officer not below the rank of Secretary the third, who shall:

(a) Advise the government with regard to the steps to be taken to stop indiscriminate felling of trees throughout the State. The government will act in accordance with such advice.

(b) Scrutinize the above report filed before us which include the applications to permit felling along with the report of the local forest officers, make their independent enquiry and issue necessary directions to the Forest department to fell the trees or to refrain from doing so or to take any measures for their preservation.

(c) Take District by District and deal with the applications for felling of the trees in those Districts in accordance with law passing suitable directions binding on the respondents and the local forest officials.”

5. Thereafter, on an application for modification by the respondents, this Court by order dated 17.11.2025, was pleased to modify the order dated 09.04.2025, to a certain extent by observing that, as a mechanism is already in place in the form of prevailing Acts and Rules, as well as the orders of the Supreme Court, which sufficiently addresses the issue at hand, the directions



contained in the order dated 09.04.2025, were then recalled, however with the directions that the State respondents were to strictly adhere to the Rules and Acts as well as the SOP, with regard to the matter of felling of trees.

6. The counsel for the PIL petitioner thereafter, when the matter was taken up again on 15.12.2025, and when the prayer was made for disposal of the PIL as the matter has been effectively dealt with by this Court, the learned Senior counsel for the PIL petitioner had prayed for time to enable him to obtain instructions. On 09.02.2026, when the matter was taken up, it was submitted that against the order dated 17.11.2025, an SLP had been preferred, and the matter was subsequently adjourned to 09.03.2026 and again on 27.04.2026, 11.05.2026, and lastly on 08.06.2026, to await instructions.

7. Today when the matter is taken up, the learned Advocate General has submitted that since 27.04.2026, this Court had been apprised that no SLP had been filed. To substantiate this fact, detailed information from the website of the Hon'ble Supreme Court has been furnished before this Court to show that the SLP was filed only on 08.05.2026, which was defective, and as on today the defects are still not cured.



8. Today, again Mr. S. Chanda, learned counsel for the PIL petitioner has prayed for some accommodation, to enable him to obtain instructions.

9. This Court in the face of the facts as illustrated above, finds it extremely difficult to prolong this matter any further, and short of taking any other actions in this regard on the incorrect submissions made, without further lingering the matter, deems it fit to close this PIL, at this stage itself.

10. Accordingly, in the circumstances aforementioned, this PIL stands closed and disposed of.

(W. Diengdoh)
Judge

(H.S. Thangkhiew)
Judge

Meghalaya
10.08.2026
"V. Lyndem AR-PS"