Serial No.02
Weekly List

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No.8/2024

Date of Order: 27.11.2024

Baniarap Snaitang Vs. State of Meghalaya & ors

Coram:

Hon'ble Mr. Justice I.P. Mukerji, Chief Justice
Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner : Mr. S. Panthi, Adv

For the Respondents : Mr. K. Khan, AAG with
Ms. A. Thungwa, GA

i) Whether approved for reporting in Law journals etc.: Yes

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

This public interest litigation (PIL) relates to repair and strengthening of the Mawphlang-Balat road.

Admittedly, repair work has been undertaken by the State and is continuing. The grievance of the petitioner is that a particular stretch

of the road from Phlangwanbroi to Khliehriat and from Pomblang to Laitumsaw has not been repaired and needs attention.

At this point of time, we propose to make some observations.

PIL is an extraordinary remedy. It is different from the ordinary remedy available in law. When a person, a group or a section of the society is aggrieved by any action or inaction of the State and is unable himself or herself or by themselves to approach the Court for remedy, for lack of education, awareness, economic power or social standing, a philanthropic person initiates litigation for their benefit. The Court usually does not interfere in the day to day administration of the government. It only interferes if there is gross failure of administration, there is such action or inaction on its part which affects the public at large and requires the intervention of the Court or it is so controlled by wrongdoers that action cannot be expected. If the Court is to monitor the day to day administration of the government, it is not compatible with the functions and duties of the Court. Further, it would be left with no time to do regular judicial work.

In this matter, we notice that the government has taken steps to repair the road. The petitioner needs to be a little patient and wait for it

to take remedial action with regard to the stretch between Phlangwanbroi to Khliehriat and Pomblang to Laitumsaw.

We dispose of this PIL by directing the respondents to pay attention within a reasonable time to the above stretch while carrying out its repair work of Mawphlang-Balat road.

(W. Diengdoh)
Judge

(I.P. Mukerji)
Chief Justice

Meghalaya
27.11.2024
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