Serial No.09
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

MC[WP(C)]. No. 40 of 2026 in
WP(C). No. 12 of 2026 (disposed of)
MLHC010002472026

Date of Decision: 18.11.2026
Uploaded on: 19.11.2026

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1. Shri. Vicky Mishra,
R/o 29 Cantonment, Shillong.

2. Shri. Anil Kr. Gaur,
R/o 29 Cantonment, Shillong.

3. Shri. Ram Adhik Mahato,
R/o 29 Cantonment, Shillong.

4. Shri. Shyam Chandra Guar,
R/o 29 Cantonment, Shillong.

5. Shri. Ganga Ram Guar,
R/o 29 Cantonment, Shillong.

6. Shri. Sanju Devi,
R/o 29 Cantonment, Shillong.

7. Shri. Ram Chand Guar,
R/o 29 Cantonment, Shillong.

8. Shri. Manoj Singh,
R/o 29 Cantonment, Shillong.

9. Shri. Bobby More,
R/o 29 Cantonment, Shillong.

10. Shri. Goma Thapa,
R/o 29 Cantonment, Shillong.

11. Shri. Brijesh Ojha,
R/o 29 Cantonment, Shillong.

12. Shri. Baij Nath Rai,
R/o 29 Cantonment, Shillong.

13. Shri. Nawabuddin Mughal,
R/o 29 Cantonment, Shillong.

14. Shri. Satyam Guar,
R/o 29 Cantonment, Shillong.

15. Shri. Pradeep Guar,
R/o 29 Cantonment, Shillong.

16. Shri. Narayan Ram Barman,
R/o 29 Cantonment, Shillong.

17. Shri. Rajhuveer Rai,
R/o 29 Cantonment, Shillong.

18. Shri. Bablu Gaur,
R/o 29 Cantonment, Shillong.

19. Shri. Ram Swarup Rai,
R/o 29 Cantonment, Shillong.

20. Shri. Pram Rai,
R/o 29 Cantonment, Shillong.

21. Shri. Rajesh Guar,
R/o 29 Cantonment, Shillong.

22. Shri. Shivji Ray,
R/o 29 Cantonment, Shillong.

23. Smti. Radha Krishna Thakur,
R/o 29 Cantonment, Shillong.

24. Shri. Sujeet Kr. Thakur,
R/o 29 Cantonment, Shillong.

25. Shri. Bir Chandra Thakur,
R/o 29 Cantonment, Shillong.

26. Shri. Binod Kr. Ray,
R/o 29 Cantonment, Shillong.

27. Shri. Parvind Kr Thakur,
R/o 29 Cantonment, Shillong.

28. Shri. Birghu Nath Singh,
R/o 29 Cantonment, Shillong.

29. Shri. Rakesh Kr Gaur,
R/o 29 Cantonment, Shillong.

30. Shri. Rambilash Singh,
R/o 29 Cantonment, Shillong.

31. Shri. Laxman Rai,
R/o 29 Cantonment, Shillong.

32. Smti. Bhima Chettri,
R/o 29 Cantonment, Shillong.

33. Shri. Mahesh Nishad,
R/o 29 Cantonment, Shillong.

34. Shri. Suresh Nishad,
R/o 29 Cantonment, Shillong.

35. Shri. Anil Kr Thakur,
R/o 29 Cantonment, Shillong.

36. Shri. Kamlesh Singh,
R/o 29 Cantonment, Shillong.

37. Smti. Meena Thapa,
R/o 29 Cantonment, Shillong.

38. Shri. Gendlal Guar,
R/o 29 Cantonment, Shillong.

39. Shri. Rameshwar Lal,
R/o 29 Cantonment, Shillong.

40. Shri. Rajesh Barua,
R/o 29 Cantonment, Shillong.

41. Shri. Arjun Sah,
R/o 29 Cantonment, Shillong.

42. Shri. Rajmani Nishad,
R/o 29 Cantonment, Shillong.

43. Smti. Nirmala Devi,
R/o 29 Cantonment, Shillong.

…Petitioners

-Versus-

1. Union of India,
Represented by the Secretary Defence,
Sena Bhavan New Delhi.

2. The Defense Estate Officer,
Guwahati Circle, Guwahati (Assam).

3. The Chief Executive Officer
Cantonment Board, Pinewalk, Shillong.

4. The State of Meghalaya represented by
The Commissioner & Secretary,
Home, Shillong.

5. The Officer In Charge,
Cantonment Beat House, Shillong.

6. Smti. Santosh Devi Goenka,
Bangalow No. 29,
Shillong Cantonment.

7. Shri. Om Prakash Geonka,
Bangalow No. 29,
Shillong Cantonment.

8. Shri. Kamal Geonka,
Bangalow No. 29,
Shillong Cantonment.

…Respondents

Coram:

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

Appearance:

For the Petitioner/Applicant(s) : Mr. A.S.Siddiqui, Sr. Adv. with
Ms. A.Kharmyndai, Adv.

For the Respondent(s) : Dr. N.Mozika, ASGI with
Ms. C.Jala, Adv. for R 1 & 2.
Mr. S.P.Mahanta, Sr. Adv. with
Ms. L.D.N.Thangkhiew, Adv. for R 3.
Ms. Z.E.Nongkynrih, GA for R 4 & 5.
Mr. S.Goenka, Adv. for R 6.
Mr. S.Chanda, Adv. for R 7 & 8.

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

JUDGMENT (ORAL):

1. In this matter, the main writ petition i.e. WP(C). No. 12 of 2026 was disposed of on 04-02-2026, with the directions given at para 7 thereof, which are reproduced hereinbelow:

> *" 7. **On hearing the learned counsel for the parties and also considering the desperate condition of the writ petitioners and the limited relief prayed for in the instant writ petition, it is directed that without prejudice to the rights of the parties and***

other proceedings that are pending with regard to the occupation, tenancy or leasehold of 29 Cantonment, Shillong, to provide the affected residents some relief it is directed as follows: -

i) The respondent No. 3 (CEO Cantonment Board) shall arrange for a spot inspection/verification to be conducted on the said site on a date to be so fixed, but not later than 7(seven) days from today.

ii) The Spot Inspection/Verification shall be done in the presence of representatives of respondent No. 2, respondent No. 5 (O/c of Cantonment Beat House), an officer from the Disaster Management Department, and the respondents Nos. 6, 7 & 8.

iii) The Spot Inspection/Verification shall only be to ascertain the said persons who have been affected by the fire at 29 Cantonment and on confirmation thereof, shall allow for the raising of temporary structures for their shelter of these persons only.

iv) ***No permanent shelter shall be allowed to be raised in the said Plot.*****"**

2. As per the said directions, the respondent No. 3 i.e. the Cantonment Board was to conduct a spot inspection/verification within seven days from the date of the order, and the spot inspection/verification was only to ascertain the said persons who had been affected by the fire at 29 Cantonment and on confirmation thereof, would allow for the raising of temporary structures for their shelter and no permanent structures would be allowed to be set up.

3. In the course of time, it appears that inspite of an inspection, there was no certainty as to the number of people residing in the said plot, and as there were claims and counter claims, and certain disputes that arose thereafter, the petitioners have preferred this instant misc. case wherein it has been alleged that the orders of this Court disposing of the main writ petition dated 04-02-2026, has not been complied with. Affidavits were thereafter filed by the respondents and inspection was then carried out again by the Cantonment authorities, who found that there was only one person residing therein. This finding also has been vehemently objected to by the learned Sr. counsel for the petitioners and by the learned counsel for the respondent No. 6, though the learned counsel for the respondents No. 7 & 8 have submitted that no tenants are present in the affected area.

4. Today, Mr. S.Geonka, learned counsel for the respondent No. 6 has submitted that there have been further developments which he prays he may be allowed to place before this Court.

5. This Court, notes that this misc. case has been filed since March, 2026 has not proceeded, and in fact has given further rise to many disputed questions, which cannot be gone into by writ proceedings. Further, this Court by order dated 15-09-2026, has also observed as follows:

"HIGH COURT OF MEGHALAYA
AT SHILLONG

MC [WP(C)] No. 40 of 2026

Date of Order: 15.09.2026

Shri. Vicky Mishra & Ors. Vs. Union of India & Ors.

Coram:

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

Appearance:

For the Petitioner(s) : Mr. A. S. Siddiqui, Sr Adv.

For the Respondent(s) : Dr. N. Mozika, DSGI with
Ms. M. Myrchiang, Adv for R 1&2.
Mr. S. P. Mahanta, Sr, Adv with
Mr. D. Dkhar, Adv for R 3.
Ms. Z. E. Nongkynrih, GA for R 4&5.
Mr. S. Jindal, Adv for R 6.
Mr. K. Paul, Sr, Adv with
Mr. S. Chanda, Adv for R 7&8.

On hearing learned counsel of the parties, it is seen that no purpose will be served in ordering for fresh inquiry or inspection by the Cantonment authorities or by any independent authorities.

Mr. S. Jindal, learned counsel appearing for the respondent No. 6, prays that he may be allowed to obtain instructions as to whether recourse to other remedy can be taken. Prayer is allowed.

List this matter on 06.10.2026.

Sd/-
JUDGE"

6. In view of the situation of the case presently, it appears that it is futile to continue with the instant proceeding and the same is closed by giving liberty to the affected persons to pursue appropriate civil remedy.

7. Misc. case accordingly stands closed and disposed of.

Judge

Verified
Digitally signed by: SAMANTHA ANNA LIYA RYNJAH
Signed On: 19-11-2026 17:38:27 IST