

HIGH COURT OF MEGHALAYA
AT SHILLONG

MC (PIL) No.8/2018

Date of Order: 20.04.2021

Kynjaimon Amse

Vs.

Union of India & ors

Coram:

Hon'ble Mr. Justice Biswanath Somadder, Chief Justice
Hon'ble Mr. Justice H.S. Thangkhiew, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. S Panthi, Amicus Curiae

For the Respondent(s) : Mr. R Deb Nath, CGC
Mr. S Sen Gupta, Addl.Sr.GA

i) Whether approved for reporting in Law journals etc.: Yes/No

ii) Whether approved for publication in press: Yes/No

Pursuant to our earlier order dated 6th April, 2021, the State Government, through its learned advocate, has placed a letter dated 3rd March, 2021, which has been issued by the Officer on Special Duty & Ex-officio Secretary to the Government of Meghalaya, Planning Department, addressed to the Secretary, North Eastern Council (NEC), Nongrim Hills, Shillong, wherefrom it appears that the Chief Secretary to the Government of Meghalaya has issued an undertaking, which certifies that the Government of Meghalaya undertakes to fund the balance portion of Rs.88.33 crore (Phase-II) and to complete the whole project in case NERSDS is not continued during the 15th Finance Commission period. In the said letter dated 3rd March, 2021, a request has been made to NEC to kindly consider sanctioning the amount of Rs.62.20 crore for the first phase of the road project at the earliest.

We would therefore direct the learned advocate representing NEC to apprise us on the next date as to what steps it has taken pursuant on receipt of the aforesaid letter dated 3rd March, 2021, which also contains the undertaking of the Chief Secretary.

In our order dated 6th April, 2021, we had also directed the State Government to inform this Court on the next date as to how they propose to restore the Borkhat-Sonapur Road, which is in a pitiable condition, at the earliest, without waiting for funds from DoNER Ministry to arrive. The learned advocate for the State of Meghalaya, however, is not in a position to give us a ready response to this information which the Court had sought for from the State Government in its order dated 6th April, 2021. We, therefore, direct the learned advocate for the State to obtain necessary instructions on the concerned authority of the State Government in this regard and apprise this Court accordingly on the next date.

List this matter a fortnight hence, for further consideration.

(H.S. Thangkhiew)
Judge

(Biswanath Somadder)
Chief Justice

Meghalaya
20.04.2021
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