

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No. 4 of 2021 with
MC(PIL) No. 2 of 2021

Date of order: 30.01.2023

Registrar General, High Court of Meghalaya	vs	State of Meghalaya & ors
Managing Director, Indigo	vs	Registrar General, High Court of Meghalaya & ors

Coram:

Hon'ble Mr. Justice Sanjib Banerjee, Chief Justice
Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner	:	Mr P. Yobin, Amicus Curiae
For the Respondents	:	Mr A. Kumar, AG with Mr S. Sengupta, Addl Sr GA Ms S. Laloo, GA Dr N. Mozika, DSGI with Ms A. Pradhan, Adv.

The Airport Authority of India places the pre-feasibility report from which it appears that there are several areas in the surrounding hills at the greenfield site that may have to be levelled.

The AAI expects the State to undertake the levelling work.

In a convoluted sense and without undertaking a more scientific and precise exercise of ascertaining the feasibility of the area, on the basis of topography sheets available from the Survey of India, the AAI has rendered its opinion.

There is no doubt that the levelling work will involve a huge expenditure which the State may not be able to afford. However, learned Advocate-General says that the matter will be placed for consideration before both the PWD and the appropriate authorities in the State.

At the end of the day, it has to be both the State and the Union who have to be on the same page for an appropriate airport to be set up in Meghalaya. The hills here are not as steep or as difficult to manoeuvre around as the Himalayas to the north and it is more than likely that a full-fledged, independent airport catering to Shillong and able to host wide-bodied aircrafts would give a big fillip to the State. But it is also to be recognised that it is a matter of policy that involves both the State and the Union and, whether or not at the prodding of private agencies in control of nearby airports, if either the State or the Union is not keen, no mandamus can issue in such regard.

The State also reports that it has entered into an agreement with a private airline for regular service of a bombardier aircraft between New Delhi and Shillong. A minimum guaranteed amount has been assured by the State. The State submits that the kind of demand for such flight will

help the State assess whether Shillong will have the passenger capacity warranting a larger airport.

Let the matter appear eight weeks hence for both the State and the AAI to indicate the progress.

List on March 28, 2023.

(W. Diengdoh)
Judge

(Sanjib Banerjee)
Chief Justice

Meghalaya
30.01.2023
"Sylvana PS"

