

HIGH COURT OF MEGHALAYA
AT SHILLONG

WA No. 18 of 2021

Date of order: 07.04.2022

Koshilya Choudhury vs. The Union of India & Ors.

Coram:

Hon'ble Mr. Justice Sanjib Banerjee, Chief Justice

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Appellant : Mr. K. Paul, Sr. Adv. with
Mr. S. Chanda, Adv.

For the Respondents : Dr. N. Mozika, ASG with
Ms. K. Gurung, Adv.

Following an earlier request of the parties, this matter was carried to the Lok Adalat held on March 12, 2022 for a settlement to be forged.

The appellant has been evicted, apparently, under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, but the appellant says that no proceedings were drawn up and the appellant was summarily evicted without the respondents adopting any procedure established by law.

It is submitted on behalf of the respondents that though a form of settlement could not be arrived at in course of the previous Lok Adalat, the parties may be able to resolve the disputes and the matter should be placed before the next Lok Adalat due in May, 2022.

However, it appears that the appellant seeks to be put back in possession, while the respondents are only willing to negotiate on some monetary compensation to be made over to the appellant. In such a scenario, there may be little chance of the disputes being resolved unless

the appellant accepts, in principle to not insist on being put back into possession and negotiate the quantum of compensation that may be paid. Similarly, the respondents may consider whether the appellant may be put back in possession or provided alternative space rather insist on compensation alone being the only way out.

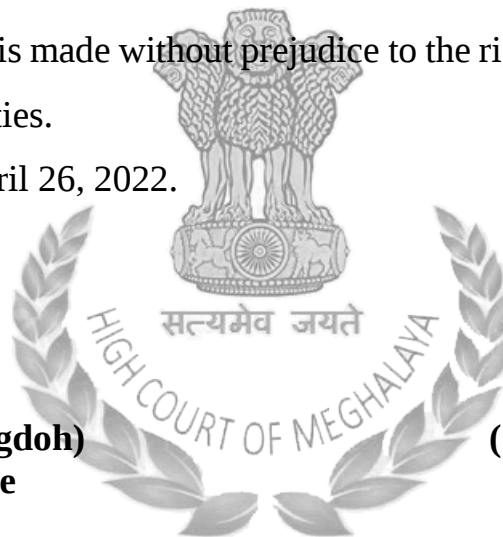
Unless the parties are able to indicate their stands in principle, there may not be an effective settlement, whether in course of any Lok Adalat or otherwise.

Let the matter appear a fortnight hence for the parties to indicate their in-principle stands.

This order is made without prejudice to the rights and contentions of both sets of parties.

List on April 26, 2022.

(W. Diengdoh)
Judge



(Sanjib Banerjee)
Chief Justice

Meghalaya
07.04.2022
"Sylvana PS"