

Serial No. 03
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 118 of 2018

Date of order: 24.04.2019

Dr. (Mrs.) Philamon Nongbet Vs. The Union of India & Ors.

Coram:

Hon'ble Mr. Justice Mohammad Yaqoob Mir, Chief Justice

Appearance:

For the Petitioner/Appellant(s) : Mr. N. Mozika, Adv.

For the Respondent(s) : Ms. A. Paul, ASG (For R 1)
Mr. C. Boruah, Adv. (For R 5)
None for R 2 - 4

Respondent No. 5 has filed an additional affidavit stating therein that the site inspection for assessing the damages was fixed by the Deputy Commissioner, Ri Bhoi District on 13.11.2018 but intimation was received by respondent No. 5 on 13.11.2018. On the same day the Deputy Commissioner, Ri Bhoi District was requested to reschedule the inspection as may be suitable, same has not been done instead the Deputy Commissioner in absence of the NHAI assessed the damages to the tune of Rs. 8,40,572/- , same is not acceptable to respondent No. 5. Faced with stated position learned counsel for the petitioner would submit that the Deputy Commissioner, Ri Bhoi District may be directed to assess the damages afresh in the presence of both the parties, same is not opposed by the learned counsel for respondent No. 5.

In view of the stated position, the Deputy Commissioner, Ri Bhoi District shall fix the date for inspection to assess the damages. Both the parties shall be intimated well in advance so as to enable them to render assistance whatever they can right on spot, after inspection submit the report preferably within fifteen days.

Learned counsel for the petitioner will get the copy of this order served to the Deputy Commissioner, Ri Bhoi District.

List again after two weeks.

(Mohammad Yaqoob Mir)
Chief Justice

Meghalaya
24.04.2019
"Sylvana PS"