

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 13 of 2021

Date of Order: 29.01.2021

Shri. Thwen Marngar & Anr.

Vs. Marwir Village Dorbar & 5 Ors.

Coram:

Hon'ble Mr. Justice Ranjit More, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. H. L. Shangreiso, Adv.

For the Respondent(s) : Mr. H. Kharmih, GA for R – 4,5 & 6.

Heard Mr. H. L. Shangreiso, learned counsel for the petitioner and Mr. H. Kharmih, learned GA for respondents No. 4, 5 & 6.

By this petition filed under Article 226 of the Constitution of India, petitioner is challenging the resolution passed by the respondents No. 1 – 3. Dated 24-04-2019. By the said resolution respondent No.1 unanimously resolved to forbid the petitioners to use any vehicle for transportation of timber, charcoal and essential commodities and to drive through the road which is within the boundary of the Marwir Village. Respondent No.1 further resolved to warn that nobody would carry or transport in their vehicle any timber, charcoal and essential commodities which belongs to the petitioner. The resolution was passed on the ground that the petitioner had refused to sign the NOC to construct the road from Twah Mashin to Twah Ram Kynshi which proposed to pass through their land.

Prima facie, in my opinion, the resolution is in contravention with the petitioners' Fundamental Rights enshrined in the Part-III of the Constitution of India. I, therefore, issue Notice to the respondent No.3. Notice is made returnable on 15-02-2021.

Judge

Meghalaya

29.01.2021

"Biswarup PS"