

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 369 of 2021 with
WP(C) No. 370 of 2021
WP(C) No. 371 of 2021
WP(C) No. 372 of 2021
WP(C) No. 373 of 2021
WP(C) No. 374 of 2021
WP(C) No. 375 of 2021
WP(C) No. 376 of 2021
WP(C) No. 377 of 2021
WP(C) No. 378 of 2021
WP(C) No. 379 of 2021
WP(C) No. 380 of 2021
WP(C) No. 381 of 2021
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WP(C) No. 385 of 2021
WP(C) No. 386 of 2021
WP(C) No. 387 of 2021
WP(C) No. 388 of 2021
WP(C) No. 389 of 2021
WP(C) No. 390 of 2021
WP(C) No. 391 of 2021
WP(C) No. 392 of 2021
WP(C) No. 393 of 2021



Date of Order: 10.12.2021

Adhir Das	Vs.	State of Meghalaya & Ors.
Nripesh Dey	Vs.	State of Meghalaya & Ors.
Biplob Dey	Vs.	State of Meghalaya & Ors.
Probito Das	Vs.	State of Meghalaya & Ors.
Hirok Roy	Vs.	State of Meghalaya & Ors.
Pronob Sarkar	Vs.	State of Meghalaya & Ors.
Samar Sarkar	Vs.	State of Meghalaya & Ors.
Debashish Dey	Vs.	State of Meghalaya & Ors.
Bipul Das	Vs.	State of Meghalaya & Ors.
Chanchal Debnath	Vs.	State of Meghalaya & Ors.
Sandeep Dey	Vs.	State of Meghalaya & Ors.
Niklesh Malakar	Vs.	State of Meghalaya & Ors.
Moloy Das	Vs.	State of Meghalaya & Ors.
Ashish Debnath	Vs.	State of Meghalaya & Ors.
Rama Kanta Chanda	Vs.	State of Meghalaya & Ors.
Himadri Roy	Vs.	State of Meghalaya & Ors.

Sudhangshu Das	Vs.	State of Meghalaya & Ors.
Amio Das	Vs.	State of Meghalaya & Ors.
Dilip Ranjan Dey	Vs.	State of Meghalaya & Ors.
Sajib Debnath	Vs.	State of Meghalaya & Ors.
Bakul Das	Vs.	State of Meghalaya & Ors.
Nripesh Dey	Vs.	State of Meghalaya & Ors.
Hiralal Deb	Vs.	State of Meghalaya & Ors.
Bishnu Paul	Vs.	State of Meghalaya & Ors.
Pradeep Sinha	Vs.	State of Meghalaya & Ors.

Coram:

Hon'ble Mr. Justice H. S. Thangkhiew, Judge

Appearance:

For the Petitioner(s) : Mr. S. Dey, Adv.

For the Respondent(s) : Mr. N.D. Chullai, AAG with
Mr. R. Gurung, Addl. Sr. GA (For R 1-3)
Mr. V.G.K. Kynta, Sr. Adv. with
Ms. A. Kharshiing, Adv. (For R 4)
None (For R 5)

This batch of writ petitions have been preferred before this Court with a common prayer, against the non-renewal of trading licenses, which are issued by the Khasi Hills Autonomous District Council under ***The United Khasi-Jaintia Hills District (Trading by Non-Tribals) Regulation, 1954.***

The case of the petitioners are that, they are all traders who are the permanent and genuine residents of Majai area, Sohra Syiemship. It appears that due to a law and order situation that had occurred on 28.02.2020 in these areas, the Syiem of Sohra (Respondent No. 5) has not issued the requisite NOCs to enable the respondent District Council to process and renew the trading licenses.

Mr. S. Dey, learned counsel for the petitioners submits that in spite of repeated attempts and in spite of meetings that had been held under the Chairmanship of the Sub-Divisional Officer (Civil), wherein assurances were made and resolutions passed with regard to the issuance of the NOCs nothing has transpired thereafter, which has compelled the writ petitioners to approach this Court, by way of these writ petitions.

Mr. V.G.K. Kynta, learned Senior counsel assisted by Ms. A. Kharshiing, learned counsel for the respondent District Council (Respondent No. 4) submits that the Syiem of Sohra may be given some time to process the NOCs, after which the Khasi Hills Autonomous District Council will do the needful with regard the license.

Mr. N.D. Chullai, learned AAG assisted by Mr. R. Gurung, learned Addl. Sr. GA appearing on behalf of the respondent No. 1 to 3 also concurs to the submissions made by the learned Senior counsel for the respondent District Council, and submits that in the interest of justice, the respondent No. 5 be given some time to process the applications of the writ petitioners for issuance of NOCs.

Though notice had been served upon the respondent No. 5 and vakalatnama filed, none has appeared on his behalf today.

List this matter on 16.12.2021 for further consideration and for appearance of respondent No. 5.

It is made clear that pendency of this writ petition shall not prevent the respondent No. 5 from taking appropriate steps in expediting the process.

A copy of this order be transmitted to the respondent No. 5 through the office of the Khasi Hills Autonomous District Council and a copy of the same also be supplied to the learned counsel of the parties.

List accordingly.

JUDGE

Meghalaya
10.12.2021
"V. Lyndem-PS"