PIL. No. 1 of 2014

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE
THE HON'BLE MR. JUSTICE T NANDAKUMAR SINGH
THE HON'BLE MR. JUSTICE S.R.SEN

10-04-2015

Mr. K. Paul, learned Advocate, appears for petitioner.

Mr. ND Chullai, learned Sr. GA, assisted by Mr. S.Sen Gupta, learned GA, represents respondent Nos. 1, 2 and 4.

Mr. SP Mahanta, learned Sr. Advocate, assisted by Ms. S. Pde, registers his presence for respondent No.3.

Mr. VGK Kynta, learned Sr. Advocate, is for respondent Nos. 25 and 28.

Mr. N. Mozika, learned Advocate, has entered appearance for respondent Nos. 6, 10, 14, 15, 17, 18 and 22.

Ms. PDB Baruah, learned Advocate, represents respondent No.12.

Mr. S. Chakravarty, learned Advocate, is for respondent Nos. 7, 8, 11 and 19.

Mr. BK Das, learned Advocate, is present for respondent No. 9.

Mr. MF Qureshi, learned Advocate, is the counsel for respondent No. 5 and 13.

Mr. L. Lyngdoh, learned Advocate, appears for respondent No. 24.

Mr. B. Bhattacharjee, learned Advocate, has entered appearance for respondent Nos. 23 and 26.

We have heard learned counsel for parties and perused the records including the photographs showing raising of illegal construction in violation of building bye laws. It is submitted that despite the orders dated 11-04-2014 and 11-08-2014, passed by Division Bench, there is no effective sealing of the premises in terms of the directions of the Court.

Thus, for effective implementation of Court's orders we constitute a Committee comprising of Mr. Sanjay Goyal, Deputy

Commissioner, Shillong, as Chairman, with Mr. M.Kharkhrang, Superintendent of Police, Shillong and Chief Judicial Magistrate, Shillong as Members who shall carry out the directions of Division Bench and seal the premises in question as pointed out in the order and the photographs. We also direct that the sealing exercise shall be carried out at the earliest and possibly before the next date of hearing. A Senior Officer not below the rank of Secretary, MUDA, shall also be associated with the exercise for assistance. He shall provide requisite manpower and necessary logistic support to carry out the directions of the Court. The Committee shall also visit the site of construction in the ownership of respondent Nos. 17 to 28, and identify the violations, if any. The Committee shall also take photographs of illegal construction and place the same on the record of case so that the Court would pass appropriate order on the next date of listing.

List on 17-04-2015

JUDGE **JUDGE** **CHIEF JUSTICE**

S.Rynjah