WA No. 42/2014

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

23.02.2015

Mr. K.S. Kynjing, learned AG, assisted by Mr. S.Sen Gupta, learned GA, appears for the appellant-State.

Mr. B.K. Deb Roy, learned counsel, represents the respondents No. 1 - 39.

Mr. R. Deb Nath, learned counsel, represents the respondent - Union of India.

Learned counsel for Union of India and other respondents, pray for and are granted time to file affidavits before the next date of hearing.

List on 09.03.2015.

JUDGE **CHIEF JUSTICE**

Sylvana

W.A. No. 46/2013

BEFORE
THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
HON'BLE MR JUSTICE T NANDAKUMAR SINGH

23-02-2015

Mr. S.Sen, learned Advocate, appears for the petitioner.

Mr. KS Kynjing, learned AG, assisted by Mr. P.Yobin, learned GA, represents the State respondents.

We have gone through the affidavits filed on behalf of the State as well as the respondent. In the affidavit of Forest Department, there are some serious contradictions. That apart, it is not clear from the submission of learned Advocate General as to whether the local District Council has also enacted any legislation on the subject matter in question relating to Forest. Normally, it is noticeable that there are 3 (three) sets of legislations, namely Central, State and the one enacted by the local District Council on the subject relating to forest in State of Meghalaya. Looking to the public importance involved in the matter, we would thus like the Principal Secretary, Forest Department, Govt. of Meghalaya, to file affidavit bringing out the details of all such legislations on the subject matter apart from factual aspect of the case namely, as to the nature of land and the extent to which it can be said to be transferable or non-transferable.

Besides, learned counsel for the appellant prays for and is granted liberty to implead local District Council as one of the respondents. List on 09.03.2015.

JUDGE **CHIEF JUSTICE (ACTING)**

S.Rynjah

CRL.A. No. 3 of 2011

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

23-02-2015

Mr. R.Deb Nath, learned Advocate, appears for the appellant.

Mr. SP Mahanta, learned Sr. Advocate, assisted by Mr. B.Lyngdoh, represents the respondents.

Learned counsel for the parties pray for and are granted 3(three) weeks' time for written submissions on or before the next date of listing.

List on 16-3-2015.

JUDGE **CHIEF JUSTICE (ACTING)**

S.Rynjah

WP(C). No. 9 of 2015
with WP(C) No. 16 of 2014
WP(C) No. 17 of 2014
WP(C) No.18 of 2014
WP(C) No.19 of 2014
WP(C) No. 20 of 2014
WP(C) No. 94 of 2013
WP(C) No.117 of 2013
WP(C) No. 385 of 2013
WP(C) No. 386 of 2013
WP(C) No. 387 of 2013
WP(C) No. 388 of 2013
WP(C) No. 87 of 2013
WP(C) No. 123 of 2008
WP(C) No. 124 of 2008
WP(C) No. 126 of 2008
WP(C) No. 133 of 2008

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

23-02-2015

Mr. D. Senapati, learned Advocate, appears for the applicant.

Mr. R Deb Nath, learned Advocate, represents the respondents.

As two connected matters namely, WP(C) No. 88/2013 and WP(C) No. 86/2013, which had been dismissed for non-prosecution, have been restored today vide the orders passed in MC[WP(C)] No. 19/2015 and MC[WP(C)] No. 20/2015, this bunch of matters is adjourned with direction to list with the aforesaid cases on 25-3-2015.

JUDGE **CHIEF JUSTICE (ACTING)**

S.Rynjah

WP(C). No. 126 of 2013

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

23-02-2015

Mr. RK Majaw, learned Advocate, appears for the petitioner.

Mr. R Deb Nath, learned Advocate, represents the respondents- Union of India.

Mr. S.Sen Gupta, learned GA, represents the State respondents.

On joint request by learned counsel for the parties, let this matter be listed on 23-3-2015 for argument.

JUDGE **CHIEF JUSTICE (ACTING)**

S.Rynjah

WP(C) No. 16 of 2013

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

23-02-2015

Mr. D.Senapati, learned Advocate, appears for the petitioner.

Mr. R Deb Nath, learned Advocate, represents the respondents- Union of India.

Mr. S.Sen Gupta, learned GA, represents the State respondents.

On joint request by learned counsel for the parties, let this matter be listed on 23-3-2015 for argument.

JUDGE **CHIEF JUSTICE (ACTING)**

S.Rynjah

WP(C). No. 78 of 2014

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

23-02-2015

Mr. A.Saraf, learned Sr. Advocate, assisted by Mr. D.Senapati, appears for the petitioner.

Mr. S.Sen Gupta, learned GA, represents the respondents.

Written submission filed by learned State counsel is taken on record. Learned Sr. counsel appearing for the petitioner states that apart from the arguments as recorded in the order dated 26-11-2014 by this Court, the State has raised some fresh arguments. Thus, he wants to seek instruction and submit a brief written submission within a week.

List on 2-3-2015.

JUDGE **CHIEF JUSTICE (ACTING)**

S.Rynjah

WP(C). No. 79 of 2014

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

23-02-2015

Mr. A.Saraf, learned Sr. Advocate, assisted by Mr. D.Senapati, appears for the petitioner.

Mr. S.Sen Gupta, learned GA, represents the respondents.

Written submission filed by learned State counsel is taken on record. Learned Sr. counsel appearing for the petitioner states that apart from the arguments as recorded in the order dated 26-11-2014 by this Court, the State has raised some fresh arguments. Thus, he wants to seek instruction and submit a brief written submission within a week.

List on 2-3-2015.

JUDGE **CHIEF JUSTICE (ACTING)**

S.Rynjah

WP(C). No. 172 of 2013

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

23-02-2015

Mr. A.Saraf, learned Sr. Advocate, assisted by Mr. GL Gope, appears for the petitioner.

Mr. S.Sen Gupta, learned GA, represents the respondents.

Learned counsel for the parties pray for and are granted time till 30-3-2015, to argue the matter and to submit their written arguments.

JUDGE **CHIEF JUSTICE (ACTING)**

S.Rynjah

WP(C). No. 251 of 2013
with WP(C) No. 252 of 2013

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

23-02-2015

Mr. A.Saraf, learned Sr. Advocate, assisted by Mr. GL Gope, appears for the petitioner.

Mr. AH Hazarika, learned Advocate, represents the respondents.

Learned counsel for the parties pray for and are granted time till 30-3-2015, to argue the matter and to submit their written arguments.

JUDGE **CHIEF JUSTICE (ACTING)**

S.Rynjah

WP(C) No. 369 of 2014

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

23-02-2015

Mr. K.Gautam, learned Advocate, appears for the petitioner.

Mr. R Deb Nath, learned Advocate, represents the respondents- Union of India.

Mr. S.Sen Gupta, learned GA, represents the State respondents.

On joint request by learned counsel for the parties, let this matter be listed on 23-3-2015 for argument.

JUDGE **CHIEF JUSTICE (ACTING)**

S.Rynjah

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR. JUSTICE S.R. SEN

23.02.2015

Ms R Dutta, learned counsel, appears for the appellants.

Mr N Syngkon, learned counsel, represents the respondents.

Ms R Dutta, learned counsel appearing for Mr K Paul, learned counsel on record for the appellants, prays for and is granted two weeks' time to argue the matter.

List the matter on 10.03.2015.

JUDGE

CHIEF JUSTICE
(ACTING)

dev

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR. JUSTICE S.R. SEN

23.02.2015

Ms R Dutta, learned counsel, appears for the appellants.

Mr N Syngkon, learned counsel, represents the respondents.

Ms R Dutta, learned counsel appearing for Mr K Paul, learned counsel on record for the appellants, prays for and is granted two weeks' time to argue the matter.

List the matter on 10.03.2015.

JUDGE

CHIEF JUSTICE
(ACTING)

dev

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR. JUSTICE S.R. SEN

23.02.2015

Ms R Dutta, learned counsel, appears for the appellants.

Mr N Syngkon, learned counsel, represents the respondents.

Ms R Dutta, learned counsel appearing for Mr K Paul, learned counsel on record for the appellants, prays for and is granted two weeks' time to argue the matter.

List the matter on 10.03.2015.

JUDGE

CHIEF JUSTICE
(ACTING)

dev

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR. JUSTICE S.R. SEN

23.02.2015

Ms R Dutta, learned counsel, appears for the appellants.

Mr N Syngkon, learned counsel, represents the respondents.

Ms R Dutta, learned counsel appearing for Mr K Paul, learned counsel on record for the appellants, prays for and is granted two weeks' time to argue the matter.

List the matter on 10.03.2015.

JUDGE

CHIEF JUSTICE
(ACTING)

dev

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR. JUSTICE S.R. SEN

23.02.2015

Ms R Dutta, learned counsel, appears for the appellants.

Mr N Syngkon, learned counsel, represents the respondents.

Ms R Dutta, learned counsel appearing for Mr K Paul, learned counsel on record for the appellants, prays for and is granted two weeks' time to argue the matter.

List the matter on 10.03.2015.

JUDGE

CHIEF JUSTICE
(ACTING)

dev

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR. JUSTICE S.R. SEN

23.02.2015

Ms R Dutta, learned counsel, appears for the appellants.

Mr N Syngkon, learned counsel, represents the respondents.

Ms R Dutta, learned counsel appearing for Mr K Paul, learned counsel on record for the appellants, prays for and is granted two weeks' time to argue the matter.

List the matter on 10.03.2015.

JUDGE

CHIEF JUSTICE
(ACTING)

dev

WA No. 9 of 2015

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR. JUSTICE S.R. SEN

23.02.2015

Mr B Khyriem, learned counsel, appears for the appellants.

Mr N Syngkon, learned counsel, represents the respondents.

Learned counsel for the appellants prays for and is granted two weeks' time to argue the matter.

List the matter on 10.03.2015.

JUDGE

CHIEF JUSTICE
(ACTING)

dev

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR. JUSTICE S.R. SEN

23.02.2015

Mr B Khyriem, learned counsel, appears for the appellants.

Mr N Syngkon, learned counsel, represents the respondents.

Learned counsel for the appellants prays for and is granted two weeks' time to argue the matter.

List the matter on 10.03.2015.

JUDGE CHIEF JUSTICE
(ACTING)

dev

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR. JUSTICE S.R. SEN

23.02.2015

Ms P Roy, learned counsel, appears for the appellants.

Mr S Rana, learned counsel, represents the respondent.

Ms P Roy, learned counsel, appearing on behalf of the learned counsel for Union of India, Shri R Deb Nath, prays for adjournment on the ground that the latter is indisposed.

List the matter on 11.03.2015.

JUDGE CHIEF JUSTICE
(ACTING)

dev

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR. JUSTICE S.R. SEN

23.02.2015

Mr VK Jindal, learned senior counsel, assisted by Mr S Dey, learned counsel, appears for the petitioners.

Mr SD Upadhaya, learned counsel, represents the respondents.

Learned counsel for the respondents prays for further two weeks' time to file additional affidavit as a last chance.

List the matter on 11.03.2015.

JUDGE CHIEF JUSTICE
(ACTING)

dev

MC(WP(C)). No. 20 of 2015
in WP(C) No. 86 of 2013

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

23-02-2015

Mr. D. Senapati, learned Advocate, appears for the applicant.

Mr. R Deb Nath, learned Advocate, represents the respondents.

On due consideration, application for restoration of WP(C) No. 86/2013 is allowed. Thus, WP(C) No. 86/2013 is directed to be restored to its original number and status with direction to list alongwith WP(C) No. 94/2013 etc on the date fixed therein. Accordingly, the Misc.case stands disposed of.

JUDGE **CHIEF JUSTICE (ACTING)**

S.Rynjah

MC(WP(C)). No. 19 of 2015
in WP(C) No. 88 of 2013

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

23-02-2015

Mr. D. Senapati, learned Advocate, appears for the applicant.

Mr. R Deb Nath, learned Advocate, represents the respondents.

On due consideration, application for restoration of WP(C) No. 88/2013 is allowed. Thus, WP(C) No. 88/2013 is restored to its original number and status with direction to list alongwith WP(C) No. 94/2013 etc on the date fixed therein. Accordingly, this Misc.case stands disposed of.

JUDGE **CHIEF JUSTICE (ACTING)**

S.Rynjah

WA. No. 1 of 2014
with WA No. 2 of 2014

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

23-02-2015

Mr. MZ Ahmed, learned Sr. Advocate, assisted by Ms. B.Dutta, learned Advocate, appears for the appellants.

Mr. A.Saraf, learned Sr. Advocate, assisted by Mr. D.Senapati, learned Advocate, represents the respondent.

Learned Sr. counsel appearing for the appellants, after some argument, prays for and is granted time till 30-3-2015, to further argue the matter. Learned counsel for the parties may supplement their oral arguments with written submissions on or before the next date of listing. Learned counsel for the appellants may inspect the court file and paginate their briefs accordingly.

List on 30-3-2015.

JUDGE **CHIEF JUSTICE (ACTING)**

S.Rynjah

WP(C) No. 340/2014

BEFORE
THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
HON'BLE MR JUSTICE T NANDAKUMAR SINGH

23.02.2015

No one present for the petitioner.

Mr. SP Mahanta, learned Sr. Advocate, assisted by Ms. A. Thungwa, learned Advocate, represents the respondents.

As per office report, records of title suit said to have been instituted in the court of Addl. District Judge, Shillong, have been received in the Registry. It appears that there is no other pending proceeding connected with the land in question. Mr. SP Mahanta, learned Sr. counsel appearing for the Cantonment Board states that Mr. SC Shyam, learned Sr. counsel, who represents the Union of India be asked to seek instructions, for, the land belongs to Ministry of Defence. Thus, let a notice be issued to Mr. SC Shyam, learned Sr. counsel to ensure appearance on the next date after seeking instructions.

List on 16-3-2015.

JUDGE **CHIEF JUSTICE (ACTING)**

S.Rynjah