

HIGH COURT OF MEGHALAYA
AT SHILLONG

MC(WA). No. 13 of 2020 with
MC(WA). No. 14 of 2020
MC(WA). No. 15 of 2020

Date of Order :14.05.2020

M/s Pahal Coal Traders	Vs.	State of Meghalaya & Ors.
M/s Pahal Coal Traders	Vs.	State of Meghalaya & Ors.
M/s Pahal Coal Traders	Vs.	State of Meghalaya & Ors.

Coram:

Hon'ble Mr. Justice Ranjit Vasantrao More, Judge
Hon'ble Mr. Justice W.Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s) : Ms. N.Saikia, Adv. with
Mr. K.Paul, Adv.
For the Respondent(s) : Mr. A.Kumar, AG with
Ms. S.G.Momin, Addl. Sr. GA.
Dr. N.Mozika, Sr. Adv. for R 11&12.

Per W.Diengdoh, (J)

1. This is an application with a prayer for modification and alteration of the order dated 06-05-2020 passed by this Court in MC(WA). No. 10/2020, MC(WA). No. 11/2020 and MC(WA). No. 12/2020. Similar applications have also been filed for which is it deemed fit and proper to pass a common order.

2. The applicant who was arrayed as respondent No. 2 in the said MC(WA). No. 10/2020, MC(WA). No.11/2020 and MC(WA). No. 12/2020, M/s. Pahal Coal Traders Pvt. Ltd, represented by Ms. N.Saikia,

learned counsel has submitted that the applications are filed with a prayer to direct the State respondents to list the exact number of trucks and the exact amount of coal in each truck which was allowed to transport the coal vide the related order of this Court.

3. Mr. K.Paul, learned counsel has also pointed out to the order dated 06-05-2020 and has submitted at paragraph 6 of the same, this Court has recorded that the learned counsel has submitted that he has no objection to the coal laden trucks in question to be allowed to transport the same on the condition being fulfilled as directed. However, Mr. K.Paul, has submitted that the said submission was inadvertently recorded, when infact, he has stated that if the applications of the State respondents are allowed, the appeal would become infructuous. Accordingly, the above submission is brought on record.

4. This Court has also heard the submission of the learned Advocate General, Mr. A.Kumar as well as learned Sr. counsel, Dr. N.Mozika for opposite party No. 11 & 12.

5. We have heard the learned counsel for the parties and in our considered opinion, the order dated 06-05-2020 passed in MC(WA). No. 10/2020, MC(WA). No. 11/2020 and MC(WA). No. 12/2020 is a reasoned order to the extent that the direction issued by the learned Single Judge has been made workable by the direction so issued. As to the details of the trucks in question, this Court has noticed that the details of the said trucks have been given in the writ appeal and as such it is the duty of the District Administration or the authorities concerned to verify and check the same. The submission of the applicant herein in this regard, has no basis whatsoever.

6. It is also the view of this Court that the applicant herein has not challenged the order of the learned Single Judge and as such the objection raised in these applications cannot be entertained.

7. This being the case, we find no reason to modify the said order dated 06-05-2020, except to the extent indicated above. Accordingly, these Misc. applications are hereby disposed of.

8. This matter having been taken up via video conferencing, the signed copy of the order is placed on record.

(W.Diengdoh)
Judge

(R.V.More)
Judge

Meghalaya
14.05.2020
"Samantha PS"

