

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 53 of 2022

Date of Order: 25.02.2022

Shri Deep Kalita

Vs.

State of Meghalaya & Ors.

Coram:

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

Appearance:

For the Petitioner(s) : Mr. A.S. Siddiqui, Sr. Adv. with
Mr. A.G. Momin, Adv.

For the Respondent(s) : Mr. A. Kumar, AG with
Ms. Z.E. Nongkynrih, GA
Ms. I. Lyngwa, GA (For R 1, 2 & 3)

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| i) | Whether approved for reporting in
Law journals etc: | Yes/No |
| ii) | Whether approved for publication
in press: | Yes/No |

JUDGMENT AND ORDER (ORAL)

Matter taken up via Hybrid Mode.

1. Heard Mr. A.S. Siddiqui, learned Senior counsel for the petitioner assisted by Mr. A.G. Momin, learned counsel for the petitioner.
2. The grievance of the petitioner he submits is that the vehicle of the petitioner, which was seized has been put up for auction which is to be conducted on 28.02.2022. The learned Senior counsel further submits that in connection with the seizure, there were proceedings which were initiated against him for operating a stone crusher without permission, and that by order dated 13.10.2021 passed in the said proceedings, the respondent No. 3 had recorded the admission of the

petitioner with regard to the illegal operation of stone crushing activities between 01.04.2019 till 18.08.2020.

3. Mr. A.S. Siddiqui, learned Senior counsel submits that the petitioner is ready to abide by the order but the only hurdle is that the petitioner has filed a representation dated 28.11.2021 for Reduction of Environment Compensation and for renewal of lease which is yet to be disposed of. He, therefore, prays that directions be issued to the respondent to dispose of the representation and the payment of compensation will be made in accordance with law.

4. Mr. A. Kumar, learned Advocate General assisted by Ms. Z.E. Nongkynrih, learned GA for the respondent No. 1 to 3 submits that he has no quarrel if the petitioner is agreeable to pay the compensation amount as levied.

5. Considering the submissions made by the learned counsel for the parties, it is hereby directed that the respondent No. 3 shall consider the representation filed by the petitioner with regard to the calculation of compensation and to pass orders thereon. With regard to the auction of the truck, as far as it relates to the truck of the petitioner at Sl. No. 1 of the Seizure Memo, dated 21.01.2022, the same shall be kept in abeyance.

6. The entire exercise shall be completed within 2(two) weeks and the petitioner as per the undertaking given before this Court shall forthwith pay the compensation, within 1(one) month thereafter.

7. With the above noted directions, the instant petition is accordingly disposed of.

JUDGE

Meghalaya
25.02.2022
"V. Lyndem-PS"