



**Serial No. 08-21**  
**Regular List**

**HIGH COURT OF MEGHALAYA**  
**AT SHILLONG**

WP(C) No. 116 of 2025  
WP(C) No. 117 of 2025  
WP(C) No. 118 of 2025  
WP(C) No. 119 of 2025  
WP(C) No. 120 of 2025  
WP(C) No. 121 of 2025  
WP(C) No. 122 of 2025  
WP(C) No. 123 of 2025  
WP(C) No. 124 of 2025  
WP(C) No. 125 of 2025  
WP(C) No. 126 of 2025  
WP(C) No. 127 of 2025  
WP(C) No. 128 of 2025  
WP(C) No. 129 of 2025

Date of Decision: 15.09.2025

Smti Nirolla Marak,  
W/o Shri Laidinath Momin,  
Permanent R/o Balsrigittim,  
P.O. & P.S. Williamnagar,  
East Garo Hills District, Meghalaya

..... **Petitioner(s)**

**Versus**

1. Union of India represented by  
The Secretary of Ministry of Road Transport and Highways
2. The State of Meghalaya, through its  
Chief Secretary Government of Meghalaya
3. The Director of Ministry of Road Transport and Highways,  
Government of India, New Delhi.
4. The Director National Highways Infrastructure Development  
Corporation Limited (NHIDCL), New Delhi.



5. The General Manager, National Highways Infrastructure Development Corporation Limited (NHIDCL), New Delhi.

6. The Deputy Commissioner (Revenue), Resubelpara, North Garo Hills District, Meghalaya.

**... Respondent(s)**

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Smti Krebitha Marak,  
D/o (L) Sombe Marak,  
R/o Depa Garat,  
P.O. Dainadubi, P.S. Mendipathar,  
North Garo Hills District, Meghalaya

**..... Petitioner(s)**

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5. The General Manager, National Highways Infrastructure Development Corporation Limited (NHIDCL), New Delhi.

6. The Deputy Commissioner (Revenue), Resubelpara, North Garo Hills District, Meghalaya.

**... Respondent(s)**

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Smti Salchami Sangma,  
W/o Shri Praidash Marak,  
R/o Depa Chima Apal,  
P.O. Dainadubi, P.S. Mendipathar,  
North Garo Hills District, Meghalaya

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5. The General Manager, National Highways Infrastructure  
Development Corporation Limited (NHIDCL), New Delhi.
6. The Deputy Commissioner (Revenue), Resubelpara,  
North Garo Hills District, Meghalaya.

... **Respondent(s)**

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Smti Dallik Marak,  
D/o Shri Shedel Sangma,  
R/o Depa Garat,  
P.O. Dainadubi, P.S. Mendipathar,  
North Garo Hills District, Meghalaya

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Development Corporation Limited (NHIDCL), New Delhi.
6. The Deputy Commissioner (Revenue), Resubelpara,  
North Garo Hills District, Meghalaya.

**... Respondent(s)**

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Smti Debila Sangma,  
W/o Shri Prodin Marak,  
R/o Depa Garat,  
P.O. Dainadubi, P.S. Mendipathar,  
North Garo Hills District, Meghalaya

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6. The Deputy Commissioner (Revenue), Resubelpara,  
North Garo Hills District, Meghalaya.

**... Respondent(s)**

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Shri Willingston Sangma,  
S/o Shri Moheram Marak,  
R/o Depa Sarangma,  
P.O. Dainadubi, P.S. Mendipathar,  
North Garo Hills District, Meghalaya

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6. The Deputy Commissioner (Revenue), Resubelpara,  
North Garo Hills District, Meghalaya.

... **Respondent(s)**

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Smti Nuitildadora Ch. Momin,  
W/o Shri Samjen D. Sangma,  
R/o Depa Sarangma,  
P.O. Dainadubi, P.S. Mendipathar,  
North Garo Hills District, Meghalaya

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North Garo Hills District, Meghalaya.

**... Respondent(s)**

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Smti Methira S. Sangma,  
W/o Shri Boash Momin,  
Permanent R/o Bangsi Apal,  
P.O. Dainadubi, P.S. Mendipathar,  
North Garo Hills District, Meghalaya

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North Garo Hills District, Meghalaya.

**... Respondent(s)**



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Smti Lujibell N. Marak,  
W/o Shri Bawelson Marak,  
R/o Depa Sarangma,  
P.O. Dainadubi, P.S. Mendipathar,  
North Garo Hills District, Meghalaya

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North Garo Hills District, Meghalaya.

... **Respondent(s)**

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Smti Sabitha Sangma,  
D/o Shri Monilthon Sangma,  
R/o Depa Garat,  
P.O. Dainadubi, P.S. Mendipathar,  
North Garo Hills District, Meghalaya

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6. The Deputy Commissioner (Revenue), Resubelpara,  
North Garo Hills District, Meghalaya.

**... Respondent(s)**

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Smti Albina Sangma,  
W/o Shri Brijut Marak,  
R/o Depa Garat,  
P.O. Dainadubi, P.S. Mendipathar,  
North Garo Hills District, Meghalaya

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North Garo Hills District, Meghalaya.

**... Respondent(s)**

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Smti Erilla Marak,  
D/o (L) Dineth Sangma,  
R/o Chima Apal,  
P.O. Dainadubi, P.S. Mendipathar,  
North Garo Hills District, Meghalaya ..... **Petitioner(s)**

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  6. The Deputy Commissioner (Revenue), Resubelpara,  
North Garo Hills District, Meghalaya.
- ... Respondent(s)**

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Smti Binolla R. Sangma,  
W/o (L) Panira Rabha,  
R/o Depa Sarangma,  
P.O. Dainadubi, P.S. Mendipathar,  
North Garo Hills District, Meghalaya ..... **Petitioner(s)**

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North Garo Hills District, Meghalaya.

**... Respondent(s)**

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Smti Sebani Sangma,  
W/o Shri Sudhir Momin,  
R/o Depa Sarangma,  
P.O. Dainadubi, P.S. Mendipathar,  
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North Garo Hills District, Meghalaya.

**... Respondent(s)**




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**Coram:**

**Hon'ble Mr. Justice H. S. Thangkhiew, Chief Justice (Acting)**

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**Appearance:**

For the Petitioner(s) : Mr. K.C. Gautam, Adv.

For the Respondent(s) : Mr. S. Sen, GA with  
Ms. R. Colney, GA (For R 2&6)  
Mr. S. Pandey, Adv. (For R 3,4&5)

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| i) | Whether approved for reporting in<br>Law journals etc: | Yes/No |
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| ii) | Whether approved for publication<br>in press: | Yes/No |
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**JUDGMENT AND ORDER (ORAL)**

1. These batch of writ petitions have been filed with a prayer that the respondents be directed to carry out proper survey of the lands since occupied, for assessment of just and fair compensation against the land acquired, taking into account all the structures and fixtures standing thereon.

2. It is submitted by Mr. K.C. Gautam, learned counsel for the petitioners that the land situated in North Garo Hills, Dainadubi P.S. Mendipathar has been acquired without payment of compensation, and as such the petitioners will come within the meaning of 'Person



Interested'. It is further submitted that even though the stand of the respondents that the land forms part of the existing Right of Way (RoW), excess land has also been taken over by the respondents, for which there has been no assessment or any compensation paid. He therefore, prays that appropriate directions be issued to the respondents to conduct an exercise to verify the claims and objections of the petitioners and accordingly accord compensation or to take steps in furtherance thereto.

3. Mr. S. Sen, learned GA for the State respondents No. 2 & 6, has submitted that the said acquisition has been done under the National Highways Act, 1956 and possession has been accordingly taken by the authorities for expansion of the NH-217, in North Garo Hills District. He however submits that as the issue involves disputed facts, the writ petitioners have available alternate remedy under Section 3 (H) (4) of the Act, which allows the competent authority to refer the matter to the principal civil court under whose jurisdiction the said land is situated, for adjudication. He therefore, submits that the writ petitioners be directed to approach the appropriate forum, for redressal of their grievances.

4. Mr. S. Pandey, learned counsel for the respondents Nos. 3, 4 & 5 (NHIDCL), also has no objection to the suggestion made by Mr. S. Sen, the learned GA for the respondents Nos. 2 & 6.



5. Accordingly, on the submissions made by the learned counsel for the parties and also on the materials on record, these writ petitions are disposed by allowing the writ petitioners to approach the competent authority i.e. the District Collector/Commissioner, who shall then refer the matter to the principal civil court of original jurisdiction for adjudication of the claims of the writ petitioners, as presented. It is further provided that on the presentation of the claims of the writ petitioners, the same shall be referred, within 2(two) months on receipt thereof, the claims/objections.

6. As ordered above, these connected matters stand closed and are accordingly disposed of.

**Chief Justice (Acting)**

Meghalaya  
15.09.2025  
"V. Lyndem-PS"