

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No. 8 of 2022

Date of order: 22.03.2023

Champer M. Sangma vs State of Meghalaya & ors

Coram:

Hon'ble Mr. Justice Sanjib Banerjee, Chief Justice
Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner : Mr S. Dey, Adv.
Mr S. Deb, Adv.

For the Respondents : Mr K. Khan, Sr GA. with
Mr S. Sengupta, Addl Sr GA
Ms R. Colney, GA [For R 1, 2, 5-12]
Mr D. Nath, GA, [For State of Assam]
Dr N. Mozika, DSGI with
Ms A. Pradhan, Adv. [For R 13]
Ms R.A. Mostafi, Adv. vice
Mr M.A.I. Hussain, Adv. [For R 14]

Ms R.A. Mostafi seeks to address on behalf of the 14th respondent, obviously on the undertaking that a vakalatnama will be immediately filed. Such vakalatnama be filed in course of the day, failing which appropriate action may be initiated by the Court.

The game appears to be up and Counsel appearing for the 14th respondent has been shamelessly dodging the Court.

There is no explanation as to how the 14th respondent acquired in excess of 52,000 MT of coal for which it sought permission in April, 2022 to export to Bangladesh. The matter has been adjourned on one pretext or the other and the ludicrous excuse put up today is that papers have been

sought from Customs authorities to substantiate the source of coal. It is completely unacceptable that a commercial entity would submit documents with a statutory authority, but not retain copies thereof.

The State is directed to keep a strict vigilance on the activities of the respondent No. 14. No coal sought to be transported by the respondent No. 14 or exported or purchased should be allowed to be dealt with except with the previous leave of this Court.

The respondent No. 14 should be represented with all documents to substantiate the source of obtaining coal, not only of the 52,000 MT, but of an additional amount of approximately 1,25,000 MT that the 14th respondent seems to have been in possession of, as will be evident from the papers relied upon by the petitioner.

The matter will appear exactly a week hence.

List on March 29, 2023.

(W. Diengdoh)
Judge

(Sanjib Banerjee)
Chief Justice

Meghalaya
22.03.2023
"Sylvana PS"