



Serial No.57
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 247 of 2025

Date of Decision: 10.02.2026

Smti. Philina D. Sangma,
D/o Sangit Marak,
R/o Village Dholai Malai,
East Khasi Hills District,
Meghalaya.

...Petitioner

-Versus-

1. The State of Meghalaya,
Through the Secretary,
Department of Home Affairs,
Government of Meghalaya,
Meghalaya Civil Secretariat,
Shillong-793001, Meghalaya.
2. The Union of India,
Through the Secretary,
Ministry of Home Affairs,
North Block, Cabinet Secretariat,
Raisina Hill, New Delhi.
3. The Director General of Police,
Meghalaya Police Headquarters,
Secretariat Hill,
Shillong – 793001, Meghalaya.
4. Inspector General,
Meghalaya Frontier Headquarters,
Bordar Security Force,
Umpling, Shillong,
East Khasi Hills District,
Meghalaya – 793 006.



5. Superintendent of Police,
East Khasi Hills District,
Shillong, Meghalaya – 793001.
6. Officer-In-Charge,
Shella Police Station,
East Khasi Hills District,
Meghalaya – 793112.
7. Shri. Ephriam E. Ryndong,
Sub-Inspector,
Meghalaya Police,
Current Officer-In-Charge of
Shella Police Station,
East Khasi Hills District,
Meghalaya - 793112

...Respondents

-AND-

8. Shri. Mithun A. Sangma,
Headman,
Thliew Umtham Village,
P.O/P.S. Shella,
East Khasi Hills District,
Meghalaya – 793112.
9. Shri. Hillary K. Sawain,
Secretary,
Thliew Umtham Village,
P.O/P.S. Shella,
East Khasi Hills District,
Meghalaya – 793112.
10. District Veterinary Officer,
East Khasi Hills District,
Near Veterinary Hospital,
G.S.Road, Shillong,
Meghalaya- 793002.

...Proforma Respondents



Coram:

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

Appearance:

For the Petitioner/Applicant(s) : Mr. S.Chakrawarty, Sr. Adv. with
Mr. E.Laloo, Adv.

For the Respondent(s) : Mr. N.Syngkon, GA with
Mr. J.N.Rynjah, GA for R 1,3,5,6 & 10.
Dr. N.Mozika, DSGI with
Ms. M.Myrchiang, Adv. for R 2 & 4.
Ms. A.D.Syiem, Adv. for R 7.

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

1. The writ petitioner is before this Court with a complaint that on 18-05-2025, 30(thirty) number of cattle of the petitioner, while grazing in the fields of Thliew Umtham Village, BSF personnel seized the said cattle and took them away without providing any seizure list or any other documents to the persons who were looking after them. As such, a prayer has been made for directions for the cattle to be returned or in the alternative, for payment of compensation to the tune of ₹ 20 lakhs.



2. Mr. S.Chakrawarty, learned Sr. counsel assisted by Mr. E.Laloo, learned counsel for the petitioner submits that the fact that the cattle belong to the petitioner has been confirmed by the headman of Thliew Umtham Village, and has referred to the certificate which states that the cows had been sent by the petitioner to the said village for grazing. He further submits that though the petitioner had approached the Shella Police Station, she was informed that the cattle had been handed over to some society and assuming that the cattle were in the custody of some society of the Veterinary Department, which however on inquiry, was informed that the said Department was not aware of any such incident.

3. This Court on the filing of the writ petition on 17-06-2025, had by order dated 19-06-2025, immediately called for instructions from the State respondents which was provided by way of a status report enclosing instructions dated 19-06-2025 from the Superintendent of Police. The same for the sake of convenience is reproduced hereinbelow:

***“OFFICE OF THE SUPERINTENDENT OF
POLICE EAST KHASI HILLS DISTRICT, SHILLONG,
MEGHALAYA***

Letter No. CB/SR/2025/2139 Dated Shillong 19th June 2025.

To,

*Shri J N Rynjah,
Govt. Advocate (P),
Meghalaya High Court, Shillong*



*Sub: Writ Petition (C) No. of 2025
Smti Philina D. Sangma.*

*Vrs
State of Meghalaya & ors.*

Ref: Shella PS GDE No. 07 Dated 19.05.2025

Sir,

With reference to the subject cited above, the status report in the instant case is furnished as below:-

- (1) That a written FIR was received at Shella PS from the Coy. Commander 'G' coy Ex 1 BN BSF to the effect that on 18.05.2025 at about 2015 Hrs, a specific information was given by SI/G Devashish Mondal that some miscreants were planning to smuggle cattle through GIN 479. Based on the above information Coy Comdr Insp Joseph Praveen along with 07 ORS led an ambush in the alignment of BP No. 1233/1-S. At about 2045 Hrs, the party observed some suspicious movement in the thick vegetation, in alignment of BP No. 1233/1-S. The party alerted the ACP which simultaneously rushed to the spot and challenged them, but the miscreants fled away to the Indian side taking advantage of darkness and thick vegetation. Then the party searched the area and found 25 Nos, of medium size cattle (Oxes) and 05 Nos. big size cattle (Oxes) in the area and seized all cattle at about 21:50 Hrs.*
- (2) Further, on 19.05.2025, 02 (two) FIRS were received vide Shella PS GDE No. 03 & 04, one from Shri James Muller Ahbraham Neng S/o Kanto Venus Chyne of Diengsiar Mawlong village, PS- Shella, East Khasi Hills who appeared at the PS and submitted a written report to the effect that on 17.05.2025 night time, his 14 (fourteen) Nos. of cattle went missing from the cow shed which is located a few meters away from his residence. Also, Smti Ibadashisha War D/o Niborian War R/O Diengsiar Mawlong village, PS-Shella, East Khasi Hills appeared at the PS and submitted a written report to the effect that on 18.05.2025 @ 05:00 AM, when she went to the cow shed located at Lyngngar Mawlong village, she*



found 16 (sixteen) Nos. of her cattle were missing. She had searched for the cattle from the nearby village but the cattle could not be found.

- (3) *Further, an enquiry was conducted and after proper verification and enquiry the same was handed over to the rightful owners.*
- (4) *It may be mentioned that after about 10 days the cattle were seized, one Smti Philina D Sangma who informed that she is a resident of Balat, came and enquired about the cattle and claimed that the cattle belonged to her. On enquiring as to how her cattle reached Shella area from Balat she could not give any satisfactory reply, and could not provide any proof that the cattle belonged to her.*
- (5) *Further, on enquiry from the Headman and Secretary of Thliew Umtham, Shri Mithun A Sangma and Shri Hilary K Sawian, respectively as to why they did not report the matter, they informed that they had no knowledge of the cattle but only on 05.06.2025, Smti Philina D Sangma and four persons from their village, namely Rotin R. Marak, Pranap R. Marak, Karsen Marak and Jesse R. Marak came and met them requesting to issue one certificate showing that the cattle belonged to Smti Philina D Sangma, so that they could take back the cattle. They also stated that they had no knowledge as to who the cattle belonged since no report was given to them from the villagers regarding seizure of cattle. So in good faith and to help their villagers, they had issued the said certificate.*
- (6) *It is also to be mentioned that no FIR was received from Smti Philina D Sangma regarding seizure of cattle by the BSF.*

Submitted for favour of your kind information.

Yours faithfully,

Sd/-

*(Shri Vivek Syiem, IPS.)
Superintendent of Police,
East Khasi Hills, Shillong.”*



4. A perusal of the above noted report would show that the matter is serious in nature and it relates to prevention of international cattle smuggling. Affidavits have also been filed, alleging misrepresentation of facts by the writ petitioner, as also the certificate issued by the headman of Thliew Umtham being inquired into by the respondents, as reflected in para 5 of the report and the fact of the return of the cattle to the rightful owners. Copies of FIR filed by the said rightful owners as well as handing over certificate have been annexed. An affidavit by the BSF has also been filed wherein the sequence of events, apart from documents showing requisition for lodging of FIRs dated 19-05-2025 and seizure memo dated 19-05-2025, have also been annexed.

5. It has been submitted by the learned counsel for the respondents that no case has been made out whatsoever by the petitioner to warrant any directions or grant of any relief by this Court.

6. This Court has perused the materials in detail, as also the pleadings made in the writ petition. Apart from the fact that no materials exist to show that the petitioner was at any time the owner of the cattle, it has been categorically stated by the respondents that the writ petitioner was unable to explain the circumstances as to how the cattle were grazing at that particular



place near the Indo-Bangla border, and also as to how they were transported to that place. On the other hand, the report from Superintendent of Police and also the affidavit of the BSF, show that due process had been carried out in the entire matter with regard to the cattle in question i.e., from the seizure to the return of the livestock to the persons who had lodged FIRs.

7. The writ petitioner having failed to substantiate any of the allegations made in the writ petition, has therefore, not made out any case and the writ petition being devoid of any merit is accordingly dismissed.

Judge