

Serial No. 03
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

MC (WPC) No. 206 of 2022 in
WP(C) No. 480 of 2022

Date of Order: 08.12.2022

Shri R. Hamberly Wahlang & Ors. Vs Union of India & Ors.

Coram:

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

Appearance:

For the Petitioner(s)/Applicant(s): Mr. P. Sharma, Adv. with
Mr. J. Shylla, Adv.

For the Respondent(s) : Ms. T. Sutnga, Adv.
vice Dr. N. Mozika, DSG (For R 1)
Mr. A. Kumar, AG with
Mr. A.H. Kharwanlang, GA (For R 2)
Mr. V.G.K. Kynta, Sr. Adv. with
Ms. C. Nongkhaw, Adv. (For R 4)

1. This Misc. application has been filed praying for stay of the operation of the Memorandum of Understanding (MoU) dated 29.03.2022, entered into between the State of Assam and Meghalaya.

2. Mr. P. Sharma, learned counsel for the applicants/petitioners submits that in the event the demarcation is effected physically and boundary marks are placed on the ground pursuant to the MoU, the entire

writ petition will be rendered infructuous, and the writ petitioners will be without any remedy.

3. Mr. A. Kumar, learned AG assisted by Mr. A.H. Kharwanlang, learned GA for the respondent No. 2, submits that no interim orders are called for at this stage as firstly, the locus of the petitioner has not been established and further no irreparable loss would be caused to the applicants/petitioners, in the event the MoU is carried forward.

4. Looking into the nature of the matter and the submissions made by the learned AG, it appears that an objection in the form of an affidavit is necessary to be filed to enable this Court to consider the interim prayer as prayed by the applicants/petitioners. The learned AG is accordingly permitted to file objections to the interim prayer and to the maintainability of the writ petition.

5. List this matter on 06.02.2023, together with WP(C) No. 480 of 2022.

6. It is however understood that during the intervening period, no physical demarcation or erection of boundary posts on the ground, pursuant to the MoU dated 29.03.2022 shall be carried out, till the next date.

JUDGE

Meghalaya
08.12.2022
"V. Lyndem-PS"