

Serial No.11
Supp. List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 664 of 2025

Date of Order: 16.12.2025

Smti. Legitha D. Sangma

Vs. State of Meghalaya & Ors.

Coram:

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

Appearance:

For the Petitioner/Applicant(s) : Mr. P.T.Sangma, Adv.

For the Respondent(s) : Mr. N.D.Chullai, AAG with
Ms. R.Colney, GA

The petitioner is a license holder for a Retail Vend of IMFL "Off License", which was granted on 13-09-2022. The Retain Vend was located at Jengjal Market, West Garo Hills, and the writ petitioner was operating the same after paying all the due license fees, as also other charges. Thereafter, it appears the petitioner being desirous to shift the wine store to a new location at Danakgre, had approached the authorities for the same after obtaining the No Objection from the local Headman/Nokma on 23-07-2025. Thereafter, on completing the formalities, the respondents by an order dated 29-01-2025, approved the shifting of the premise from Jengjal Bazar to Danakgre Opposite BSF Came, West Garo Hills. The grievance of the writ petitioner is that though valid permission had been granted by the State respondents, the said Retail Vend, after relocation however, and when the

Retail Vend was in operation, the respondent No. 3 i.e. the Superintendent of Excise, West Garo Hills, Tura, Meghalaya, has prohibited the petitioner from operating the same.

Learned counsel for the petitioner submits that the action of the respondent No. 3 is contrary to law, inasmuch as, as it is not a case of illegal operation, but the shifting and the operation of the Retail Vend was after due permission had been obtained from the respondents.

Mr. N.D.Chullai, learned AAG assisted by Ms. R.Colney, learned GA for the respondents, today on instructions has submitted that the suspension of the operation of the Retail Vend was in view of the complaints which have been made before the Deputy Commissioner, West Garo Hills, by the Pastors of two Churches, and that on this objection, the operation of the wine store had been suspended. He further submits that perhaps it is a case of the opinion of the public not having been obtained as per Rule 191 of the Meghalaya Excise Rules. He prays that he may be allowed to obtain further instructions with regard to the location of the shop and whether it is in the vicinity of any Church or educational institutions.

On hearing the learned counsel for the parties, it is noted that it is not a case where the petitioner is operating without any sanction of law, inasmuch as, due process for transfer has also been allowed by the Deputy Commissioner i.e., respondent No. 2 himself. However, it appears due to the

objections of certain individuals, the petitioner's business has been affected. Though trade and liquor is not a right, but once having been issued a valid license, it is expected that the State respondents themselves will address the situation as not to cause loss to any person. In the instant case, it is noted that before the suspension of the activities, the petitioner was never afforded any opportunity to even present his case, and it appears the authorities have acted on the complaints made by certain individuals.

In this view of the matter, the learned AAG is directed to obtain instructions with regard to the vicinity of the Retail Vend to any place of worship or educational institutions, and also the respondent No. 2 is directed to convene a meeting between the petitioner and the Headman within one week from today to understand the issue, and to allow the petitioner to present his case. The Deputy Commissioner is to take appropriate action on hearing the Headman and the petitioner, and he is also directed to examine the feasibility of the shop being open without causing any law and order problem.

List this matter on 09-02-2026 for further orders.

Judge

Meghalaya
16.12.2025
"Samantha PS"