

Serial No.01
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No.7/2021

Date of Order: 30.06.2021

Kaustav Paul Vs. **Union of India & ors**

Coram:

Hon'ble Mr. Justice Biswanath Somadder, Chief Justice
Hon'ble Mr. Justice H.S. Thangkhiew, Judge

Appearance:

For the Petitioner/Appellant(s) : In person
For the Respondent(s) : Dr. N Mozika, ASG
Mr. A Kumar, Advocate General with
Mr. AH Kharwanlang, GA,
Mr. R Deb Nath, CGC for R/10

i) Whether approved for reporting in Law journals etc.: Yes/No

ii) Whether approved for publication in press: Yes/No

The issue involved in this Public Interest Litigation (PIL) centres around cutting/felling of trees (some of which are of considerable heritage) for the purpose of widening of National Highway 40, which connects Shillong to Dawki (commonly referred to as the Shillong-Dawki road), particularly in the vicinity of the Eastern Air Command.

While the issue concerns public interest at large, before we proceed to make any observation or pass any final order, a 5(five) member High Powered Committee (HPC) is hereby constituted, which will look into the specific grievances as sought to be highlighted in the instant PIL. A comprehensive report shall be submitted by the HPC on the next date, after conducting a thorough and detailed enquiry with regard to the issue as highlighted and upon inspection of the actual site.

It will be open to the HPC to suggest before to this Court viable means to resolve the highlighted issue raised in the instant PIL without compromising either with conservation of the trees (some of which are of

considerable heritage) and environment on one hand and development/expansion of the road project on the other. The 5(five) member High Powered Committee shall constitute of the following members:-

- (i) Shri Amit Kumar, learned Advocate General;
- (ii) Shri Kaustav Paul, learned Senior Advocate, who is appearing in-person in the instant P.I.L.;
- (iii) A representative of the Forests & Environment Department, Government of Meghalaya at Shillong;
- (iv) A representative of respondent No.10, namely, National Highways and Infrastructure Development Corporation Ltd.; and
- (v) A member of general public, namely, Shri Jiwat Vaswani @ Bablu.

List this matter three weeks hence for further consideration.

(H.S. Thangkhiew)
Judge



(Biswanath Somadder)
Chief Justice

Meghalaya
30.06.2021
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