



Serial No. 06
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 16 of 2026

Date of Decision: 10.07.2026

1. Kitbor Khongiong
2. Embison Momin
3. Darmen G Momin
4. Selveston Momin

... Petitioner(s)

Versus

1. Union of India through
The Ministry of Road Transport and Highways,
Transport Bhawan, 1, Parliament Street
New Delhi-110001.
2. State of Meghalaya represented by
The Chief Secretary to the Government of Meghalaya,
Main Secretarial Building, Shillong-793001,
East Khasi Hills District. Email: meg@nic.in
3. State of Assam represented by
The Chief Secretary to the Government of Assam,
New CM Block, 3rd Floor Janata Bhawan, Dispur
Guwahati Assam-6, Email:cs-assam@nic.in
4. National Highways Authority of India (NHAI)
G-5 & 6, Sector-10, Dwarka, New Delhi-110075
5. National Highways Authority of India,
Regional Office- Guwahati (Assam & Meghalaya)
NEDFI House, 4th Floor, G.S Road Dispur,
Guwahati, Assam-781006, Email:rogby@nhai.org.



6. The Project Director,
PIU-Guwahati, BHAI,
H. No. 1, 1st Floor, Dilip Huzuri Path, Near Bageswari Mandir
Sorumotoria, Dispur, Guwahati-781006.
7. Deputy Commissioner,
Ri-Bhoi District, Nongpoh-793102
Email: dr-rbmeg@nic.in
8. Superintendent of Police,
Ri-Bhoi District, HQ Nongpoh, Ri-Bhoi District,
Meghalaya-793102,
Email: sp-rb-meg@nic.in
9. Director General of Police, Assam
Assam Police Headquarters,
Ulubari, Guwahati-781007

... Respondent(s)

Coram:

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

Appearance:

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| For the Petitioner(s) | : Mr. S. Sen, Adv. with
Mr. M.U. Ahmed, Adv. |
| For the Respondent(s) | : Dr. N. Mozika, DSGI with
Ms. M. Myrchiang, Adv. (For R 1)
Mr. N.D. Chullai, AAG (For 2,7&8) with
Ms. Z.E. Nongkynrih, GA
Mr. A. Duarah, Adv. with
Ms. M. Devi, Adv. (For R 4-6) |

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

1. The instant writ petition has been filed by the residents of Jorabat and Khanapara area who have come before this Court with a prayer against the alleged illegal closure of the median openings and access points on the National Highway-27 Khanapara-Jorabat, by the State of Assam. A further prayer has been made for issuance of a writ of mandamus to direct that any closure, regulation, diversion or alteration in the median openings and access points on the National Highway-27 Khanapara-Jorabat, should be strictly under the determination of the respondents Nos. 4, 5 & 6 i.e. the National Highways Authority of India.

2. When the matter is taken out today, Mr. A. Duarah, learned counsel for the respondents Nos. 4, 5 & 6, has submitted that the writ petition has since been rendered infructuous, inasmuch as, the medians stated in the writ petition to be closed, have since been opened, as such the matter can be closed.

3. Mr. S. Sen, learned counsel for the petitioners however, has submitted that though the median openings at CRPF Gate No. 1 and Gate No. 2, which are authorized, have since been opened, however there still exist unauthorized openings near Montfort School and Jorabat Police Station, which he submits are without the knowledge and sanction of the respondents Nos. 4, 5 & 6, and the same has been done by the Assam



Police. The learned counsel has taken this Court to the NHAI Works Manual, 2006, wherein he submits that at Clause 9.6.7, with regard to the unauthorised median cuts, it has been provided that measures should be taken to close all unauthorised median cuts as soon as they occur and suitable action should be taken against the identified agency by lodging an FIR. He thus submits that the Manual having provided the procedure, the respondents Nos. 4, 5 & 6, who are the competent authority, are to abide by the same, with regard to the openings of median and how to deal with unauthorised median cuttings.

4. Mr. N.D. Chullai, learned AAG assisted by Ms. Z.E. Nongkynrih, learned GA for the State respondents has concurred to the submission made by the learned counsel for the petitioner and submits that any action with regard to the medians, should be in accordance with the said procedure, as given in the NHAI Manual, and further if there is any requirement for maintenance of law and order or to ease traffic congestion, any such cuttings should be to the knowledge of the Superintendent of Police of the respective Districts.

5. On the submissions of the parties, though it is true that the matter has since been rendered infructuous as the authorised median openings have since been reopened, however one cause of concern is with the unauthorised action of certain agency or persons, who



sometimes for convenience, or other requirements are unauthorizedly creating median cuts without permission from the respondents Nos. 4, 5 & 6.

6. In this view of the matter while disposing of this writ petition, it is directed that the respondents Nos. 4, 5 & 6, to maintain strict vigilance and control over the medians on the National Highway-27, and further if the need occurs for any median cut to be made, the same should be with prior information of the respondents Nos. 4, 5 & 6, and to the knowledge of the Superintendent of Police of the respective Districts concerned.

7. With the above observations, the matter stands closed and is accordingly disposed of.

JUDGE

Meghalaya
10.07.2026
"V. Lyndem-AR-PS"