



Serial No.14
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

CRP. No. 32 of 2020

Date of Order :30.03.2022

Smti. Bina Roy Sangma & Anr. Vs. Shri. Atul Ch. Marak.

Coram:

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

Appearance:

For the Petitioner/Appellant(s) : Mr. S.Sen, Adv.

For the Respondent(s) : Mr. P.T.Sangma, Adv.

- | | | |
|-----|---|--------|
| i) | Whether approved for reporting in Law journals etc: | Yes/No |
| ii) | Whether approved for publication in press: | Yes/No |

ORAL

1. Heard Mr. S.Sen, learned counsel for the petitioner and Mr. P.T.Sangma, learned counsel for the respondent who is reported to have since deceased, which is not disputed by the parties. The prayer in the instant application is for directions to allow the petitioners to approach a competent court/forum for redressal of their grievances which they had against the respondent.

2. The brief facts as submitted is that the petitioner No.1 and 2 are the wife and daughter of the respondent who has since deceased and due to marital discord, the respondent became estranged from the petitioners and the same resulted in a dispute over certain properties. The said matter went before the



Garo Hills Autonomous District Council and thereafter travelled to this Court whereby after reference for mediation, the matter was settled vide order dated 02-11-2017 passed in the mediation proceedings.

3. The grievance of the petitioners is that inspite of the terms of the mediation agreement, the respondent had refused to comply with the same which has compelled them to re-approach this Court by way of the instant petition.

4. As noted, the sole respondent has since died and as such the entire proceedings that transpired before this matter came before this Court are no longer relevant for consideration. The petitioners' only prayer now is that the matter be closed before this Court and they be allowed to seek appropriate remedy before any other court of law with regard to the properties in question.

5. In that view of the matter, this case is closed leaving the parties to resort to pursuing their remedies before other appropriate forums. It is made clear that this Court has not gone into the merits of the dispute.

6. Matter accordingly stands disposed of.

Judge

Meghalaya
30.03.2022
"Samantha PS"