

Serial No.02
Supp. List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 183 of 2025

Date of Order: 22.05.2025

Shri. Kyrshon Marbaniang & Anr. Vs. State of Meghalaya & Ors.

Coram:

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

Appearance:

For the Petitioner/Applicant(s) : Mr. N.Syngkon, Adv.
Ms. L.Phanjom, Adv.

For the Respondent(s) : Mr. N.D.Chullai, AAG with
Ms. Z.E.Nongkynrih, GA for R 1,5 to 7.
Mr. T.T.Diengdoh, Sr. Adv. with
Mr. C.C.T.Sangma, Adv. for R 2.
Mr. L.Kynriem, Adv. for R 3.
Mr. R.K.Synrem, Adv. for R 4.
Mr. R.J.Kharjahrin, Adv. for R 8.

1. Today, Mr. T.T.Deingdoh, learned Sr. counsel assisted by Mr. C.C.T.Sangma, learned counsel is present on behalf of the respondent No. 2 and Mr. L.Khyriem, learned counsel is present on behalf of the respondent No. 3, Mr. R.K.Synrem, learned counsel is present for the respondent No. 4 and Mr. R.J.Kharjahrin, learned counsel is present on behalf of the respondent No. 8, as such, no further steps is required.

2. Extra copies to be supplied to the respondents.
3. The petitioner No. 1, who is stated to be the Lyngdoh of Raid Myllem and the petitioner No. 2, who is stated to be an interested person, are before this Court with a prayer that the Leh Naim of Raid Myllem which is a customary ritual, and as per submissions, scheduled to be performed on 24-05-2025 at Mawnarian and Lum Shyllong be conducted as scheduled.
4. The difficulty that has been projected before this Court by the petitioners is that though a meeting was held to decide upon the dates by a customary dorbar consisting of the respondent No. 4 also, the same could not be achieved due to a dispute between the respondent No. 8 and the petitioners which resulted in an FIR being filed on 25-04-2025. It is submitted that as it is a very important customary ritual that has been performed since time immemorial, the same should not be disrupted and should be allowed to continue on the dates so fixed.
5. From the side of the respondents, Mr. R.K.Synrem, learned counsel appearing for the respondent No. 4, who is the Myntri 5 Kur 11 Kur of Hima Myllem submits that it is not disputed that the holding of the ritual for Leh Naim of Raid Myllem and Lum Shyllong is a ritual that has to be performed annually, and has submitted that as per custom and practice, the dorbar of the Myntri of the 5 Kur 11 Kur, together with the petitioner No. 1 and the other elders and headmen are to convene and decide on the same. He also

submits that it is due to the disruption that had happened in the dorbar on 25-04-2025 that the dates could not be agreed upon. He further submits that as per customs also, the ritual has to be held on the month of May and for that the dorbar has to be convened to decide on the dates.

6. The other respondents also do not dispute the submission made by the counsel for the petitioners and the respondent No. 4.

7. This Court on hearing the learned counsels for the petitioner and the respondent No. 4, notes that it is a fact that the Leh Niam Raid Myllem has to be performed after the dorbar of Raid Myllem has been convened wherein the essential participants are the Lyngdoh and the Myntri 5 Kur 11 Kur to decide on the dates as they are essential for the performance of the rituals also. It is seen that in view of the disruption that had happened, there is no clear picture as to a way forward, except for the dates that has been proposed by the petitioner (Lyngdoh).

8. Looking at the larger picture, and in view of the fact that the residents of Raid Myllem who still follow the indigenous faith have even petitioned the Lyngskor, as it has been made known to them that perhaps the rituals may not happen this year, a certain via media has to be worked out by this Court so that at least the community shall not feel that they have been deprived of essential rituals which is the customary practice of the Raid Myllem.

9. On a query from this Court, Mr. R.K.Synrem, learned counsel for the respondent No. 4 submits that the time available is perhaps too short to have a proper dorbar, but has however volunteered that an attempt can be made to get together the most important constituents of the dorbar to atleast come to some decision. This Court also notes that the Syiem of Myllichem has an important role to play, inasmuch as, before the commencement of the rituals, voluntary contributions are received in the office of the Syiem of Myllichem which are used to defray the expenses that will be incurred in the performance of the rituals.

10. As it has been categorically submitted by the parties that the ritual cannot be conducted or held after May, and taking into account the sentiments of the community, in the interest of justice, it is directed that the petitioner No.1 and the respondent and 4 shall meet today itself, as by convention, in the office of the Syiem of Myllichem. The respondent No. 8 represented by Mr. R.J.Kharjhrin, learned counsel has fairly submitted that the respondent No. 8 will ensure his cooperation to see that the dorbar is fruitful and the rituals are carried out in a normal manner.

11. My L.Khyriem, learned counsel who is present on behalf of the Syiem of Myllichem is directed to ensure that the Syiem of Myllichem deposes two Myntris to be as observers in the said dorbar so that the matters are conducted in a peaceful, cordial and lawful manner.

12. Mr. T.T.Diengdoh, learned Sr. counsel assisted by Mr. C.C.T.Sangma, learned counsel who is present on behalf of the District Council has expressed his view that the matter should have an amicable and harmonious conclusion so that the greater populace are not affected.

13. On the directions above, it is expected that immediate steps be taken by the learned counsels present, to ensure the meeting today itself to fix the dates and since there is shortage of time, to consider the dates proposed by the petitioner.

14. List this matter tomorrow i.e. 23-05-2025.

15. Copy of this order to be given to the learned counsels for the parties.

Judge

Meghalaya
22.05.2025
"Samantha PS"