



Serial No. 05
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 187 of 2021

Date of Order: 14.12.2021

Shri Kyrsoi Bok Nongbri **Vs.** Khasi Hills Autonomous
District Council & Ors.

Coram:

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

Appearance:

For the Petitioner(s) : Mr. E. Nongbri, Adv. with
Mr. B. Nongbet, Adv.

For the Respondent(s) : Mr. V.G.K. Kynta, Sr. Adv. with
Ms. G. Kynta, Adv. (For R 1-3)
Mr. L. Khyriem, Adv. (For R 4&5)
Mr. V.K. Jindal, Sr. Adv. with
Ms. E. Marwein, Adv. (For R 6&7)

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

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

(ORAL)

1. The writ petitioner is before this Court seeking directions for the respondent No. 4 to issue Sanad and for recognition of his election to the post of Headman of the Dorbar Shnong of Bishnupur-Kench's Trace, Shillong.

2. Mr. E. Nongbri, learned counsel for the petitioner submits that the Dorbar Shnong of Bishnupur-Kench's Trace has been functioning without a full-fledged Headman since September, 2016, and on



15.04.2021 a permission had been sought from the office of the respondent No. 4 (The Syiem of Hima Mylliem) to hold and conduct the election of Headman for the said locality. As per the submissions of the learned counsel for the petitioner, the respondent No. 4 agreed to the proposal to conduct the election on 17.04.2021, but he candidly submits that the consent was verbal in nature and that the respondent No. 4 had further expressed that the presence of Myntri was not necessary to conduct the election. The learned counsel submits that on the strength of this verbal consent and after seeking permission from the Deputy Commissioner, on 17.04.2021 the Dorbar was held with the requisite quorum present and the election was conducted, wherein the petitioner came out successful.

3. The learned counsel further submits that thereafter for reasons un-known to the petitioner he had come to the knowledge that a notification dated 16.04.2021 had been issued by the respondent No. 4, appointing the respondent No. 6 as the Acting Headman instead of appointing and recognizing the petitioner as the new Headman. As such, on 19.04.2021, the petitioner along with his supporters went before the respondent No. 4 for issuance of Sanad, however, in spite of the application or representation for issuance of Sanad, the same has not been issued till date.

4. The learned counsel for the petitioner submits that at this stage, the limited prayer of the petitioner is only for the respondent No. 4 to take up the matter for consideration and to pass orders thereon.

5. Mr. V.G.K. Kynta, learned Senior counsel assisted by Ms. G. Kynta, learned counsel for the respondent No. 1 to 3, Mr. L. Khyriem,

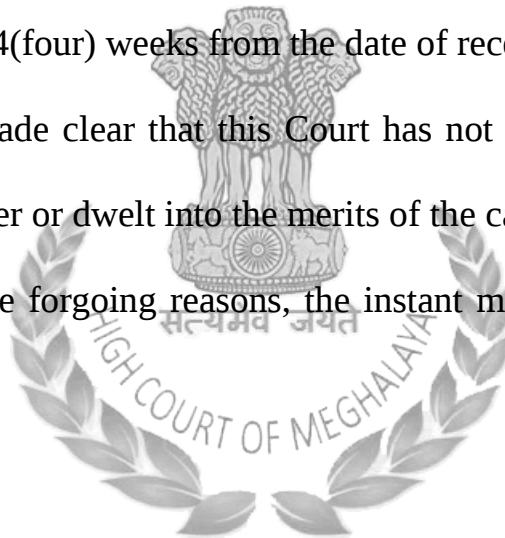


learned counsel for the respondent No. 4 & 5 and Mr. V.K. Jindal, learned Senior counsel assisted by Ms. E. Marwein, learned counsel for the respondent No. 6 & 7, jointly submit that, in view of the limited prayer of the writ petitioner, they have no objection if the matter is disposed of in line with the submissions of the learned counsel for the petitioner.

6. Accordingly, this matter is disposed on the limited prayer of the writ petitioner with a direction that the respondent No. 4 dispose of the representation dated 23.04.2021 for issuance of Sanad, which is stated to be pending before the said respondent. It would be in the interest of justice, if the same is disposed of as expeditiously as possible preferably within a period of 4(four) weeks from the date of receipt of this order.

7. It is made clear that this Court has not gone into the other aspects of the matter or dwelt into the merits of the case in detail.

8. For the forgoing reasons, the instant matter is accordingly disposed of.



JUDGE

Meghalaya
14.12.2021
"V. Lyndem-PS"