

Serial No. 22
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 317 of 2022

Date of Order: 22.04.2024

The Village Namdong – A

Vs.

J.H.A.D.C & Ors.

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. K.S. Kynjing, Sr. Adv. with
Mr. G. Syngkrem, Adv.

For the Respondent(s) : Mr. P. Nongbri, Adv. for R 1-3 & 6.
Mr. S. Deb, Adv. for R 4 & 5.
Mr. J. Shylla, Adv. for R 7.

When the matter came up for hearing, Mr. P. Nongbri, learned counsel for the respondent Nos. 1-3 & 6 submits that this matter may be preliminarily heard only on the issue of maintainability since an affidavit to this limited effect has also been filed by the said respondents, and leave was craved for, for an additional affidavit to be filed, if so required.

Mr. J. Shylla, learned counsel for the respondent No. 7 has also submitted that the issue of maintainability may be heard before the matter is finally heard on merit, if so warranted. To this effect, the order dated 06.03.2023 passed by this Court was pointed out by the learned counsel to show that this Court has allowed the respondent No. 7 to file an affidavit in the event the issue of maintainability is decided.

However, in course of hearing, the parties have agreed irrespective of earlier orders passed by this Court or submission made, that, the petition is to be heard on merit in its entirety. To this extent, the learned counsel for the respective respondent Nos. 1-3, 6 & 7 pray that they may be allowed to file their complete counter affidavits and that the matter to be heard on merits with the issue of maintainability to be also considered initially. On prayer made, the same is allowed.

Let the counter affidavits be filed within the next date fixed.

List this matter after 2(two) weeks.

Judge

Meghalaya
22.04.2024
"D. Nary, PS"