



Serial No. 05
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Tr.P.(C) No. 3 of 2024

Date of Decision: 10.06.2024

1. Shri. Kynsaibor Syiemiong
S/o (L) Standas Thongni
R/o Phlangdiloin Village, South West Khasi Hills District
Meghalaya-793114
2. Shri. Biktor Syiemiong
S/o (L) Shri. S. Shiji
R/o Kensohsan, Langrin Syiemship, South West Khasi Hills District
Meghalaya-793106
3. Shri. Beginning Hahshah
S/o Shri. B. Nongbri
R/o Nongdhar Village, Mawshynrut, West Khasi Hills District
Meghalaya-793119
4. Shri. Gaslington K. Lyngdoh
S/o (L) Restarwell Thongnni
R/o Shnongkalong, South West Khasi Hills District
Meghalaya
5. Shri. Edira Lyngdoh
S/o (L) Jibon Myrthong
R/o Wahkaji

.....Appellants

—Versus—

1. Dorbar of Langrin Syiemship



Represented by Shri. N.S. Syiemiong,
The Syiem of Langrin, South West Khasi Hills District, Meghalaya

2. Shri. Westerly Kharsaw
S/o B. Langrin
R/o Phlangdiloin, Langrin Syiemship,
South West Khasi Hills District, Meghalaya
3. Shri. Mestonath Lyngdoh
S/o (L) S. Thongni
R/o Pyndensynia Village, Langrin Syiemship, South West Khasi
Hills District, Meghalaya
4. Smti. Lenesty Syiemiong
D/o Smt. Khlinis Syiemiong
R/o Phlangmawprah, Langrin Syiemship
West Khasi Hills District, Meghalaya
5. Smt. Ismodel Syiemiong
D/o Smt. Tilosis Syiemiong
R/o Phlangmawprah, Langrin Syiemship
West Khasi Hills District, Meghalaya

.....Opposite Parties

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

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

For the Respondent(s) : Mr. J. Shylla, Adv. (For R 4 & 5)

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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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ORDER (ORAL)

1. Mr. S.K. Roy learned counsel for the appellant before the Court of the Additional District Council Court, Khasi Hills, Shillong has submitted that the notice issued upon the respondents No. 1-3 could not be affected.

2. Mr. J. Shylla, learned counsel for the respondent No. 4 and 5 is however present in Court today. The learned counsel has reiterated that the appeal pending before the court of the learned Judge, Additional District Council Court, Shillong could not proceed on the ground that the Presiding Officer of the said court has dealt with the matter as Presiding Officer of the Subordinate District Council Court, Khasi Hills, Shillong. Similarly, another Additional Judge of the District Council Court, is also unable to take up the matter on the same ground that the Presiding Officer of the court had handled the matter as the Presiding Officer of the Subordinate District Council Court, Khasi Hills, Shillong.

3. The learned counsel for the appellant has therefore prayed that in such a situation it would be proper for this matter to be transferred to any other court of competent jurisdiction and steps may be taken for all the parties to be present before such court.

4. Without going into the merits of the case and taking due note of the reference placed before this Court wherein the learned Judge, District Council Court has indicated the inability of the said court that is, the court of the Additional District Judges of the District Council Court, Khasi Hills, Shillong to take up the matter, the parties in attendance before this Court has agreed that the matter could be transferred to the Court of the



Judge, District Council Court, Jowai.

5. Accordingly, the prayer is allowed. The said appeal No. MCA No. 8 of 2022 pending before the Judge, District Council Court, Shillong is now transferred to the court of the learned Judge, District Council Court, Jowai, West Jaintia Hills District with a direction that the said court would take up the matter and on appearance of the parties would dispose of the same in accordance with law.

6. The records transmitted to this Court is hereby sent to court of the learned Judge, District Council Court, Jowai for necessary action.

7. Petition disposed of.

Judge

Meghalaya
10.06.2024
"Tiprilynti-PS"

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KHARKONGOR

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