



**Serial No.04**  
**Regular List**

**HIGH COURT OF MEGHALAYA**  
**AT SHILLONG**

CRP. No. 14 of 2024

Date of Decision : 17.10.2024

Smti. Sharmila Khongsit

...Petitioner

-Versus-

1. Shri. Babul Dutta,  
S/o Late Prafulla Dutta,  
R/o Thana Road, Shillong,  
East Khasi Hills District,  
Meghalaya.
2. Smti. Sunanda Das,  
D/o Late Prafulla Dutta,  
R/o Thana Road, Shillong,  
East Khasi Hills District,  
Meghalaya.
3. Smti. Jova Kurbah  
D/o Smti Morgina Kurbah,  
R/o Thana Road, Shillong-01,  
East Khasi Hills District,  
Meghalaya.
4. The Additional Deputy Commissioner  
(Revenue), East Khasi Hills District,  
Meghalaya.

...Respondents

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**Coram:**



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

**Appearance:**

For the Petitioner/Applicant(s) : Mr. S.Panthi, Adv.

For the Respondent(s) : Ms. P.D.B.Baruah, Sr. Adv. with  
Mr. B.A.Wanswett, Adv. for R 1.  
Ms. R.Colney, GA for R 4.

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

**JUDGMENT AND ORDER (ORAL)**

1. This application under Article 227 has been filed with the following prayer:

*“In the premises aforesaid, it is most humbly prayed that Your Lordships may be pleased to admit this petition, call for the records and issue notice upon the Respondents to show cause as to why the Misc. Case. No. 51 (H) of 2015, Misc. Case No. 48 (H) of 2023 and Title Suit No. 32 (H) 2014 pending before the Learned Assistant Judge, Shillong, be not directed to be disposed off forthwith preferably within a period of 1(one) month in accordance with law and on cause or causes being shown and after hearing the parties be further pleased to make the rule absolute and/or may pass such further or other Order or Orders as your Lordships may deem fit and proper.”*



2. Mr. S.Panthi, learned counsel is present on behalf of the petitioner and Ms. P.D.B.Baruah, learned Sr. counsel assisted by Mr. B.A.Wanswett, learned counsel is present on behalf of the respondent No. 1 and Ms. R.Colney, learned GA is present on behalf of the respondent No. 4. Though there is no appearance on behalf of the respondents No. 2 and 3, the status of service on the said respondents have been furnished before this Court on 22-08-2024 indicating the factum of service upon the said respondents, as such, the matter will be disposed of accordingly.

3. As per the prayer, it is seen that there are two Misc. applications arising out of T.S. No. 32 (H) of 2014, namely Misc. Case No. 51 (H) of 2015 and Misc. Case No. 48 (H) of 2023 pending consideration before the Court of the Assistant District Judge, Shillong. The main suit had been instituted by the respondent No. 1 as plaintiff and as reported by the learned Sr. counsel appearing for the said respondent, the plaintiff's evidence has already been concluded and the petitioner/defendant's evidence is still to commence. However, it is submitted that during the pendency of the main proceedings, the petitioner had filed two applications, one under Order VII Rule 11 and the same have been lingering for a long time.

4. The learned counsels appearing for the respondents appearing before this Court today, however, have submitted that they have no objection if



directions are issued for early disposal of the said matter, and that the delay has been caused due to the transfer of the Judicial Officer who had heard the matter.

5. Accordingly, therefore, it is directed that the Misc. applications that are pending, be first disposed of as expeditiously as possible, preferably within a period of three months from today by fixing dates that are convenient to the learned Court below and it is further provided that the parties are to cooperate fully in this matter.

6. With regard to the main Title Suit, as the matter is still pending at the evidence stage, no orders will be passed by this Court at this juncture, and the same shall be left to the wisdom of the Trial Court to dispose the matter as expeditiously as possible.

7. With the above directions, matter stands closed and disposed of.

**Judge**