



Serial No. 12
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 286 of 2024

Date of Decision: 12.09.2024

Raij Buam Elaka Amwi

.... Petitioner(s)

Versus

1. The State of Meghalaya, represented by the
Deputy Commissioner cum District Magistrate,
West Jaintia Hills District, Jowai.
2. The Sub Divisional Officer cum Sub Divisional Magistrate,
Amlarem Sub-Division, Amlarem,
West Jaintia Hills District, Meghalaya.
3. The Executive Magistrate,
Amlarem Sub Division, Amlarem,
West Jaintia Hills District, Meghalaya.
4. The Superintendent of Police,
West Jaintia Hills District, Jowai
5. The Sub Divisional Police Officer,
Amlarem Civil Sub Division,
Amlarem, West Jaintia Hills District, Meghalaya
6. The Officer in Charge,
Amlarem Police Station, Amlarem,
West Jaintia Hills District, Meghalaya
7. The Director of Tourism,
Tourism Department,
Government of Meghalaya, Shillong
Represented by its Director



8. The Jaintia Hills Autonomous District Council, Jowai
Represented by its Secretary to Executive Committee.
 9. Smti Happy Sumer,
D/o (L) Shri Pitson Tariang,
R/o Thangbuli Village,
Raid Buam, Amlarem Sub Division, Pin-793161,
West Jaintia Hills District, Meghalaya
 10. Shri Albert Khyriem,
S/o Shri Kilbo Rongngi,
R/o Umladkhur Village, Raid Buam,
Amlarem Sub Division, Pin-793161,
West Jaintia Hills District, Meghalaya
 11. Shri Wanlang Surong,
S/o Plot Suting
R/o Thangbuli Village, Raid Buam,
Amlarem Sub Division, Pin-793161,
West Jaintia Hills District, Meghalaya
 12. Shri Tympang Buam,
S/o Shri Lan Dkhar,
R/o Umladkur Village, Raid Buam,
Amlarem Sub Division,
Pin-793161, West Jaintia Hills District, Meghalaya
- ... Respondent(s)**
-
- Coram:**
- Hon'ble Mr. Justice H. S. Thangkhiew, Chief Justice (Acting)**
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- Appearance:**
- | | | |
|-----------------------|---|---|
| For the Petitioner(s) | : | Mr. J. Shylla, Adv. |
| For the Respondent(s) | : | Mr. N.D. Chullai, AAG with
Ms. Z.E. Nongkynrih, GA (For R 1-7)
Dr. N. Mozika, Sr. Adv. with
Mr. M.L. Nongpiur, Adv. (For R 8)
Ms. P.S. Nongbri, Adv. (For R 9-12) |



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. In view of the order passed today in Misc. Case No. 163 of 2024, the applicants Nos. 1 & 3, are added as the respondents Nos. 11 & 12.

2. This Court by the order dated 05.09.2024, had passed a detailed order with regard the modalities and SOP for the operation and management of Krangsuri tourist spot, as per the suggestions submitted by the Deputy Commissioner.

3. It is reported by Mr. N.D. Chullai, learned AAG that the District Tourism Promotion Society (DTPS) has since taken over the management and operation of the said tourist spot, and things are functioning smoothly. Further, it is submitted that the protestors who created disturbances, have also vacated the protest site.



4. In view of these developments, in order that this matter is resolved; it is directed as follows: -

- (i) The writ petitioner, the newly impleaded parties, and the duly appointed representatives of the 4 (four) Clans shall be allowed to raise their claims and counter claims before the Executive Committee, Jaintia Hills Autonomous District Council for settlement of the dispute.
- (ii) The Executive Committee, Jaintia Hills Autonomous District Council shall issue notices fixing a date for the matter to be taken up and after hearing the parties by giving adequate opportunity, including the adducing of evidence, if necessary, dispose of the matter on its merits and in accordance with law while taking into consideration the prevailing customary rights and practices.
- (iii) It is further directed that to avoid multiplicity of proceedings, before the main proceedings commence, the Executive Committee District Council is to ascertain the authorization to be provided by the respective parties to validate their status as representatives of their Clans as a preliminary issue.

5. The Secretary Executive Committee, Jaintia Hills Autonomous District Council shall issue notice to all the parties within 15(fifteen) days from the date of this order. It is expected that the proceedings be completed as expeditiously as possible, preferably within a period of 6(six) months from its commencement.



6. Needless to add, till the matter is resolved and disposed of by Executive Committee, Jaintia Hills Autonomous District Council, the directions as contained in the order dated 05.09.2024, are to be strictly complied with.

7. On the above noted directions, the matter stands closed and is accordingly disposed of.

Chief Justice (Acting)

Meghalaya
12.09.2024
"V. Lyndem-PS"