



Serial No. 07
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 42 of 2025

Date of Decision: 21.05.2025

Syiem Raid Marngar and Dorbar,
Myllem Syiemship,
Ri-Bhoi District

.... Petitioner(s)

Versus

1. The Khasi Hills Autonomous District Council,
Represented by its Secretary, Shillong
East Khasi Hills District, Meghalaya
2. The Chief Executive Member,
Khasi Hills Autonomous District Council,
Shillong-793002, East Khasi Hills District,
Meghalaya.
3. The Deputy Chief Executive Member,
Khasi Hills Autonomous District Council,
Shillong-793002, East Khasi Hills District,
Meghalaya
4. The Executive Member (EM) incharge,
Khasi Hills Autonomous District Council,
Shillong-793002, East Khasi Hills District,
Meghalaya
5. Joint Action Committee, San Shnong,
Hima Myllem, Ri-Bhoi District, represented by its
Secretary Shri. L. Wahlang,
6. Syiem of Hima Myllem,
Myllem Syiemship

... Respondent(s)



Coram:

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

Appearance:

For the Petitioner(s) : Mr. H.L. Shangreiso, Sr. Adv. with
Mr. T. Dkhar, Adv.

For the Respondent(s) : Mr. T.T. Diengdoh, Sr. Adv. with
Mr. R. Kharsyad, Adv. (For R 1-4)
Mr. L. Wahlang, (For R 5)
Mr. R. Kharjhrin, Adv. (For R 6)

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

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

(ORAL)

1. This writ application has been filed by the writ petitioner, who is stated to be the Syiem of Raid Marngar assailing the order dated 21.01.2025, whereby the respondent No. 2 by the said impugned order, on the prayer of the Joint Action Committee (JAC) Dorbar Ki Khasi San Shnong, representing the Villages of Mawtnum, Umjarasi, Iewmawlong, Umbuda and Mawphrow had approved the creation of a separate Raid known as "Raid San Shnong", outside the jurisdiction of Raid Marngar.



2. It is submitted by Mr. H.L. Shangreiso, learned Senior counsel for the petitioner assisted by Mr. T. Dkhar, learned counsel for the petitioner that the said order was passed without hearing the petitioner, who is vitally interest in the matter.

1. Mr. T.T. Diengdoh, learned Senior counsel assisted by Mr. R. Kharsyad, learned counsel for the respondents Nos. 1 to 4, has submitted that on examination of the impugned order, it appears that the same has been authored and signed by a single Executive Member, and as such by operation of Rule-31 of *The Assam and Meghalaya Autonomous Districts (Constitution of District Councils) Rules, 1951*, is against the mandate that an order passed by an individual member of the Executive Committee on a matter pertaining to his subject, the same should be in furtherance to a discussion or authorization, which appears to be absent in the present case.

3. Accordingly, without further going into the merits of the case, as the impugned order itself is patently illegal in the face of the record, the same is set aside and the matter is remanded back to the respondent No. 2, to pass necessary orders thereon.



4. It is made clear that adequate opportunity be granted to the parties concerned before any further orders pass.

5. With the above noted directions, the matter stands closed and is accordingly disposed of.

JUDGE

Meghalaya
21.05.2025
"V. Lyndem-PS"