



Serial No. 03
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 53 of 2025

Date of Decision: 16.05.2025

1. Shri. Lamphrang Rumnong,
S/o Korbu Kharpor,
R/o Nongmynsong Dongkamon,
Shillong – 793019, Meghalaya.
2. Shri. Nathaniel Thangkhiew,
S/o P. Lakadong,
R/o Nongkse, Block-VI,
Shillong – 793005, Meghalaya.
3. Shri. Kedresingh Kharpan,
S/o (L) Jrat Dohtdong,
Myntri Kharpan Clan,
R/o Jaiaw, Shillong,
East Khasi Hills District, Meghalaya.
4. Shri. Esseinsion Warkhongsti,
S/o (L) Dhor Kharbuki,
Myntri Warkhongsti Clan,
R/o Lawmei Pyllun,
East Khasi Hills District, Meghalaya.
5. Shri. Denington N. Pator,
S/o (L) K. Kharlor,
R/o Mawlai Umshor-shor, Shillong,
East Khasi Hills District, Meghalaya.
6. Shri. Shiningstar Kharbteng,
S/o E. Majaw,



R/o Umlyngka, Pdeng Shnong,
Upper Shillong – 793005, Meghalaya.

7. Shri. Baswell Nongneng Shanpru,
S/o (L) H. Nongtri,
Myntri Nongneng Shanpru Clan,
R/o Nongumlong,
East Khasi Hills District, Meghalaya.

.....**Petitioners**

- Vs-

1. The Khasi Hills Autonomous District
Council,
Lumdiengjri, Shillong,
Represented by its Secretary.
2. The Chief Executive Member,
Khasi Hills Autonomous District Council,
Lumdiengjri, Shillong.
3. The Deputy Chief Executive Member,
Khasi Hills Autonomous District Council,
Lumdiengjri, Shillong.
4. The Executive Committee,
Khasi Hills Autonomous District Council,
Lumdiengjri, Shillong,
Represented by its Secretary.
5. The Executive Member, I/C Land,
Khasi Hills Autonomous District Council,
Shillong.
6. The Deputy Secretary to the Executive
Committee,
Khasi Hills Autonomous District Council,
Shillong.
7. The Syiem of Myllem,



Myllem Syiemship,
Mawkhar Main Road,
Shillong, East Khasi Hills District,
Meghalaya.

8. Shri. Ainam Manik Syiem,
C/o Durbar Hima Myllem,
Mawkhar Main Road,
Shillong, East Khasi Hills District,
Meghalaya.

9. Shri. Shanborlang Sohtun,
S/o Seberin Thongni,
R/o Lyngkhwir – 793121, Lad Mawreng,
East Khasi Hills District, Meghalaya.

10. Shri. Midnight Born Kharlukhi,
S/o Smti. Mebilda Kharlukhi,
R/o Syllai-u-Lor, Myllem Kyndong, East
Khasi Hills, Pin – 793009, Meghalaya.
Secretary of Raid Myllem.

.....**Respondents**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s)	:	Mr. S. Sen, Adv. Mr. M.U. Ahmed, Adv.
For the Respondent(s)	:	Mr. C.C.T. Sangma, Adv. vice Mr. T.T. Diengdoh, SC, KHADC/R 1-6 Mr. R. Kharjahirin, Adv. for R 7 & 8. Mr. R.K. Synrem, Adv. for R 9 & 10.

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. Heard Mr. S. Sen, learned counsel for the petitioners, who has submitted that the Myntris and Basans of Hima Myllem as complainants have filed a joint complaint dated 26.10.2023 against the Syiem of Myllem. This complaint was taken on board by the Executive Committee, Khasi Hills Autonomous District Council, and the same was disposed of vide order dated 22.10.2024 purportedly by the Executive Committee. However, by the said impugned order, what is noticed is that the same was passed only by the Deputy Chief Executive Member, who is the sole Executive Member, who has signed the same.

2. At this juncture, Mr. C.C.T. Sangma, learned counsel vice Mr. T.T. Diengdoh, learned Sr. counsel/Special Counsel for the respondent Nos. 1-6/KHADC, has led this Court to the provision of Section 25 of the Khasi Hills Autonomous District (Appointment and Succession of Syiem, Deputy Syiem, Electors and Rangbah Shnong of Myllem Syiemship) Act, 2007 which reads as follows:

“25. Authorisation:-

The Executive Committee may, by order in writing, authorize two or more of its members to exercise on its behalf any power or powers conferred upon it by this Act and any thing heard, any act done or order passed as such by such members of the Executive Committee shall be deemed to have



been heard, done or passed by the Executive Committee.”

3. Mr. C.C.T. Sangma, learned counsel has fairly conceded that the impugned order has been passed without the appropriate authority, and as such, there is no objection, if the matter is referred back to the Executive Committee for reconsideration of the same, and for an appropriate order to be passed by the relevant authority.

4. The learned counsel has also referred to an order passed by this Court in the case of Shri. Lovingstonewell Kharkongor v. Khasi Hills Autonomous District Council & Ors, wherein this Court vide order dated 05.05.2025 passed in WP(C) No. 32 of 2025, considering a similar and almost identical issue, had passed an order directing the parties to be heard once again by the Executive Committee. It would be relevant to extract a portion of the observation passed by this Court in the Lovingstonewell case at para 2 which reads as follows:

“2. ...In this view of the matter as the old Act of the United Khasi-Jaintia Hills Autonomous District (Appointment and Succession of Chiefs and Headman) Act, 1959, and the new Act which has come into force on 11th November, 2024, having mandated that two or more Members will be authorised to exercise power on behalf of the Executive Committee, the impugned order in question is incompetent.”

5. Mr. R. Kharjahrin, learned counsel for the respondent Nos. 7 & 8 as well as Mr. R.K. Synrem, learned counsel for the respondent Nos. 9 & 10



and Mr. S. Sen, learned counsel for the petitioners have no objection to the proposition that the matter be referred back to the Executive Committee, Khasi Hills Autonomous District Council for fresh consideration.

6. As submitted by the learned counsel for the petitioners, the impugned order dated 22.10.2024 is hereby set aside for want of jurisdiction.

7. Accordingly, on consideration of the submission made, this petition is disposed of with a direction that the petitioners approach the Executive Committee, Khasi Hills Autonomous District Council for the matter to be heard afresh. The respondent Nos. 1-6/KHADC particularly the Executive Committee is also directed to take up the matter and to hear the parties and dispose of the said complaint following due procedure of law. All the other attending respondents who are party to the said complaint are also allowed to make their appearance before the said Executive Committee on being noticed.

Judge