



Serial No.06
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 74 of 2025

Date of Decision : 08.04.2025

The Nongkyndang Village Dorbar
Represented by its Sordar,
Rambrai Syiemship,
West Khasi Hills District,
Meghalaya.

...Petitioner

-Versus-

1. The State Government of Meghalaya
Represented by the Commissioner and
Secretary Community and Rural
Development Department, Shillong.
2. The Deputy Commissioner,
West Khasi Hills District,
Nongstoin, Meghalaya.
3. The Block Development Officer,
Nongstoin C&RD Block, Nongstoin
West Khasi Hills District,
Meghalaya.
4. The Block Development Officer,
Rambrai C&RD Block, Rambrai
West Khasi Hills District
Meghalaya.
5. The Syiem of Rambrai,
Rambrai Syiemship,
West Khasi Hills District
Meghalaya.



6. The Sordar of Mawthir Village,
Rambrai Syiemship, Nongstoin
West Khasi Hills District
Meghalaya.

7. The Secretary of Mawthir village
Rambrai Syiemship, Nongstoin,
West Khasi Hills District
Meghalaya.

...Respondents

8. The Khasi Hills Autonomous District
Council (KHADC) represented by its
Secretary, East Khasi Hills District,
Shillong, Meghalaya.

...Proforma Respondent

Coram:

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

Appearance:

For the Petitioner/Applicant(s) : Mr. S.M.Suna, Adv.
Mr. L.Shongwan, Adv.
Mr. S.S.Nongrum, Adv.

For the Respondent(s) : Mr. N.D.Chullai, AAG with
Mr. E.R.Chyne, GA for R 1-4.
Mr. P.K.Shati, Adv. for R 5.
Mr. T.Dkhar, Adv. for R 6 & 7.
Mr. T.T.Diengdoh, Sr. Adv. with
Mr. R.Kharsyad, Adv. for R 8.

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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. Mr. P.K.Shati, learned counsel has entered appearance today on behalf of the respondent No. 5. Similarly, Mr. T.Dkhar, learned counsel on behalf of the respondents No. 6 & 7 and Mr. T.T.Diengdoh, learned Sr. counsel assisted by Mr. R.Kharsyad, learned counsel on behalf of the respondent No. 8, as such, notice is complete.

2. The petitioner, it is submitted being aggrieved with an order dated 16-05-2014, passed by the respondent No. 5 with regard to the derecognition of the petitioners village, is before this Court alleging that an opportunity of being heard was not given to the petitioner, though in the judgments and orders of this Court dated 13-11-2013, passed in WP(C). No. 44 of 2012 and order dated 16-05-2014, passed in WA. No. 48 of 2013, clear directions had been given to the respondent No. 5 to take a decision on the representation made by the writ petitioner.

3. Mr. S.M.Suna, learned counsel for the petitioner submits that representation had already since been filed before the respondent No. 5 on 14-06-2014, but the same has not been attended to, but however, the impugned order dated 16-05-2014 was passed. He therefore submits that the writ petitioner would be satisfied if due opportunity of hearing is given with regard to the derecognition of the petitioners village.



4. Mr. P.K.Shati, learned counsel for the respondent No. 5 has submitted that the respondent No. 5 did not receive any representation from the petitioner, as such, there was no question of granting an opportunity of hearing.

5. Mr. T.T.Diengdoh, learned Sr. counsel assisted by Mr. R.Kharsyad, learned counsel for the respondent No. 8, has however submitted that in the scheme of things, an order of the Syiem, in this case the respondent No. 5, in such matters, the approval of the Executive Committee has to be obtained before the same is to be effective. In the instant case he submits, no such approval has been obtained which maybe, has compelled the petitioner to come before this Court. He therefore submits that the writ petition can perhaps be disposed of by directing the respondent No. 5 to hear the matter afresh and pass orders thereon, after affording adequate opportunity of hearing to the petitioner.

6. Having heard learned counsel for the parties, it appears that the point in issue is limited only to the grievance of the writ petitioner with regard to the derecognition of Nongkyndang village, whereby in the entire proceedings which had taken place before the respondent No. 5, they were not heard. This Court has also perused the orders passed by this Court in WA. 48 of 2013, wherein it has been directed that the respondent No. 5 dispose of the representation of the writ petitioner.



7. As this has not been done, in the fitness of things, this writ petition is therefore disposed of with a direction to the respondent No. 5 to rehear the Village Case No. 1 of 2014, and reconsider afresh the representation filed by the writ petitioner. As submissions have been made that the copy of the representation is not before the respondent No. 5, the writ petitioner is permitted to file a fresh representation which shall be considered in accordance with law. It is expected that the said matter be taken up expeditiously by the respondent No. 5.

8. As directed earlier by this Court, in order that the public do not suffer, status quo shall be maintained as regard to the schemes which they are enjoying presently.

9. Writ petition stands disposed of.

Judge