



<u>Serial No. 03</u> <u>Supplementary List</u>

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 101 of 2025

Date of Decision: 04.04.2025

Smti Sanjukta Paul

.... **Petitioner(s)**

Versus

1. The State of Meghalaya represented by
The Deputy Commissioner,
West Garo Hills District, Meghalaya
2. The Executive Magistrate,
West Garo Hills District, Meghalaya
3. Smti Gauri Paul,
W/o Shri Naresh Paul
R/o Mahendra Colony, Hawakhana Tura
West Garo Hills District, Meghalaya
4. Shri Nilutpal Paul,
S/o Shri Naresh Paul
R/o Mahendra Colony, Hawakhana Tura
West Garo Hills District, Meghalaya

... **Respondent(s)**

Coram:

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

Appearance:

For the Petitioner(s) : Ms. E. Dkhar, Adv. with
Mr. S. Deb, Adv.

For the Respondent(s) : Ms. S. Bhattacharjee, GA (For R 1&2)



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

1. Heard Ms. E. Dkhar, learned counsel for the petitioner.
2. Ms. S. Bhattacharjee, learned GA is present and accepts notice on behalf of the respondents Nos. 1 & 2, so no further notice is called for in respect of these respondents.
3. No notice is deemed necessary to the pro forma respondents, as the directions sought by the petitioner is only for disposal of the application dated 10.12.2024, filed by the petitioner before the Court of the Executive Magistrate, West Garo Hills District, Tura, for disposal.
4. It is submitted by Ms. E. Dkhar, learned counsel for the petitioner that pursuant to a property dispute, the writ petitioner had filed an FIR against the pro forma respondents, which was later registered as a non-FIR case, and proceedings under Sections 107/145 Cr.P.C. were drawn up. She further submits that at this stage, the writ petitioner does not want to pursue this matter, inasmuch as, a Title Suit has already been instituted, for declaration of rights, title and interest. The only grievance of the petitioner is that though an application has been filed before the Executive Magistrate since 10.12.2024, for closure of the 107/145 proceedings, the same is yet to be taken up for consideration. She



therefore, prays that directions be issued to the Executive Magistrate i.e. the respondent No. 2, to take up the matter for disposal.

5. Ms. S. Bhattacharjee, learned GA appearing on behalf of the respondents Nos. 1 & 2, submits that as the facts are not clear and that the matter is still pending, she prays that she may be allowed to obtain instructions in the matter.

6. Having heard the learned counsel for the parties, it appears that the only grievance set forth by the petitioner is the non-disposal of the application being Misc. Case No. 65 of 2021 under Sections 107/145 Cr.P.C., which is pending before the Court of the Executive Magistrate, West Garo Hills District, Tura.

7. This Court has perused the contents of the application and in the considered view, this matter can be disposed of by directing the respondent No. 2, to dispose of the matter as expeditiously as possible in accordance with law, preferably within a period of 2(two) months from today.

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

JUDGE

Meghalaya
04.04.2025
"V. Lyndem-PS"