



Serial No. 02
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 106 of 2025

Date of Decision: 18.07.2025

Shri Reagle Warjri,
S/o (L) H. Soanes, Aged about 34 years
R/o Umroi Nongrah,
Ri-Bhoi District, Meghalaya

... Petitioner(s)

Versus

1. The State of Meghalaya represented by
The Chief Secretary, Government of Meghalaya,
Shillong.

2. The Secretary to the Government of Meghalaya,
Revenue and Disaster Management Department,
Shillong

3. The Deputy Commissioner (Revenue),
Ri-Bhoi District, Meghalaya.

4. The Additional Deputy Commissioner,
Ri-Bhoi District, Nongpoh.

5. Smti Emma Tariang,
D/o (L) Smti Viola Tariang,
R/o Mawlai Nonglum,
Shillong-793008,
East Khasi Hills District, Meghalaya

.... Respondent(s)

6. Headmen,
Umden Mission Village,
P.O. Umroi, Ri-Bhoi District, Meghalaya

7. Smti Jnger Ryntathiang,
Umden Mission Village,
P.O. Umroi, Ri-Bhoi District, Meghalaya

..Proforma Respondent(s)



Coram:

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

Appearance:

For the Petitioner(s) : Mr. L. Syiem, Adv. with
Mr. K.V. Kharlyngdoh, Adv.

For the Respondent(s) : Mr. A.H. Kharwanlang, Addl. Sr. GA
(For R 1-4)
Dr. N. Mozika, Sr. Adv. with
Mr. M.L. Nongpiur, Adv. (For R 7)

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. L. Syiem, learned counsel for the petitioner.
2. Also heard Dr. N. Mozika, learned Senior counsel assisted by Mr. M.L. Nongpiur, learned counsel for the respondent No. 7, and Mr. A.H. Kharwanlang, learned Addl. Sr. GA for the respondents Nos. 1 to 4.
3. None appears on behalf of the respondent No. 5.
4. The writ petitioner by the instant writ petition is seeking directions to issue to the respondent No. 3, to refer the Reference Petition dated 26.02.2025, filed by the writ petitioner to be taken up in accordance



with Section 64 of *The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013*.

5. Mr. L. Syiem, learned counsel for the petitioner has submitted that the background facts are that the writ petitioner had bona fide purchased a plot of land from the respondent No. 5, on 11.02.2024 (who in spite of service has not entered appearance), and only thereafter came to learn of the pendency of a Title Suit with the vendor (respondent No. 5) as plaintiff and a certain Smti Jnger Ryntathiang and Shri Dron Synteng Nongdhar, arrayed as defendants. The learned counsel submits that the writ petitioner thereafter supported the respondent No. 5, financially in the Suit in the anticipation that on the conclusion of the proceedings, he would be given due benefit thereof. It is further submitted that to facilitate the conduct of the litigation, the respondent No. 5 had executed a power of attorney instrument in favour of the writ petitioner. However, he submits without the knowledge of the writ petitioner, the said power of attorney was revoked, and the respondent No. 5, and the other parties have since reached a settlement, which has left the writ petitioner without any remedy. He therefore, submits that as the acquisition proceedings of the said plot of land are still pending, his prayer at this stage is only that the entire dispute be referred to the Reference Court, so that their respective claims can be adjudicated.



6. Dr. N. Mozika, learned Senior counsel assisted by Mr. M.L. Nongpiur, learned counsel for the respondent No. 7, though arrayed as a proforma respondent, has referred to the affidavit filed on behalf of the respondent No. 7, and submitted that a settlement has been reached between the respondent No. 5 and the successors in interest of the respondent No. 7, and at present, though there is no dispute the matter is still to attain its finality before the Civil Court. He further submits that the Suit had been instituted as far back as in 2002, whereas the writ petitioner by his own admission by the unregistered Sale Deed, allegedly purchased the plot of land only in February, 2024. As such, he submits that the writ petitioner having not established any right over the property, no relief as claimed will be permissible.

7. Having heard the learned counsel for the parties and also on examining the materials as placed, at the outset, it is noted that the matter concerns disputed facts, and also secondly, the dispute if still surviving, is purely civil in nature, with the Suit pending before the District Council Court at Nongpoh. A perusal of the Settlement Deed, which has been annexed to the affidavit also is not sufficient to let this Court arrive at any conclusion, with regard to the dispute.

8. Therefore, in the facts and circumstances of the case and in the considered view of this Court, the writ petition cannot be entertained



as the same concerns disputed facts, and civil proceedings as submitted are still subsisting. In this view of the matter, the writ petition is rejected, leaving the writ petitioner to seek alternate civil remedy, as admissible.

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

JUDGE

Meghalaya
18.07.2025
"V. Lyndem-PS"