



Serial No.04
Supp. List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 151 of 2025

Date of Decision : 01.05.2025

1. Shri. Lurshai Iawphniaw.
2. Shri. Esekial Wanniang.
3. Shri. Arnes Paliar

...Petitioners

-Versus-

1. The Khasi Hills Autonomous District Council,
Shillong represented by the Secretary to the
Executive Committee, District Council,
Shillong.
2. The Executive Member i/c Elaka Admn. Etc.
Khasi Hills Autonomous District Council,
Shillong.
3. The Joint Secretary to the Executive Committee,
Khasi Hills Autonomous District Council,
Shillong.
4. The Syiem of Myriaw
Myriaw Syiemship, West Khasi Hills District,
Meghalaya.
5. The Syiem of Rambrai,
Rambrai Syiemship, West Khasi Hills District,
Meghalaya.
6. Shri. Sebastian Thyrniang,
Sordar of Domsynrang village
(Myriaw & Rambrai) Syiemship
West Khasi Hills District, Meghalaya.

...Respondents



Coram:

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

Appearance:

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

For the Respondent(s) : Mr. T.T.Diengdoh, Sr. Adv. with
Mr. C.C.T.Sangma, Adv. for R 1-3.

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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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JUDGMENT AND ORDER (ORAL)

1. The petitioners who are stated to be the office bearers in the dorbar of Domsynrang village which falls within two Syiemships i.e. Myriaw and Rambrai, are before this Court being aggrieved with the order of the respondent No. 2 dated 20-11-2024, whereby their grievances with regard to loss of confidence of the Sordar of Domsynrang village was not taken up in its true perspective.

2. Mr. S.M.Suna, learned counsel for the petitioners has submitted that various complaints have been filed against the Sordar of Domsynrang, who has been arrayed in the instant writ petition as the respondent No. 6 and that



the respondent No. 2 while taking up the matter though not coming to a clear picture as to whether the respondent No. 6 still enjoys the confidence of the people, had also observed that the same could not be done only by a referendum, which however was never ordered. He further submits that the respondent No. 2 by allowing the respondent No. 6 to continue in office has caused grave injustice to the residents of Domsynrang village. He therefore prays that the order be interfered with and appropriate directions be issued by the Court.

3. Mr. T.T.Diengdoh, learned Sr. counsel assisted by Mr. C.C.T.Sangma, learned counsel on behalf of the respondents No. 1-3, has at the outset fairly submitted that the matter is a fit case for remand as prima facie the impugned order dated 20-11-2024 had been passed by only one Executive Member when in fact it is prescribed in the Khasi Hills Autonomous District (Appointment and Succession of Syiem, Deputy Syiem and Electors of Myriaw Syiemship), Act, 2007, at Section 21 thereof, that for proceedings on Executive Committee shall be by authorisation of two members who shall exercise jurisdiction on behalf of the Executive Committee. He therefore, submits that the matter can be remanded for fresh consideration by the Executive Committee.

4. On the submissions of the learned Sr. counsel for the respondents No. 1-3, Mr. S.M.Suna, learned counsel for the petitioner also concurs to the



same and prays that the matter be disposed of at this stage itself without issuance of notice to the other respondents.

5. I have heard the learned counsel for the parties and also examined the materials on record. Shorn of other details, it is seen as submitted by learned Sr. counsel for the respondents No. 1-3, that the Khasi Hills Autonomous District (Appointment and Succession of Syiem, Deputy Syiem and Electors of Myriaw Syiemship), Act, 2007, at Section 21 thereof has provided as follows. The same for the sake of convenience is reproduced herein below:

*“21. **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 anything 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.”*

6. A perusal of the above Section 21 shows that the impugned order therefore is incompetent as it does not have the sanctity of law. As such, on the above point, without issuance of notice to the respondent No. 6, this instant writ petition is disposed of with a direction that the complaint dated 28-06-2024, which had been filed by the petitioners be taken up for fresh consideration by the respondent No. 2. As the matter concerns a lost of



confidence on the Head of the village, it is expected that the matter will be disposed of expeditiously.

7. As ordered, matter stands disposed of.

Judge