



Serial No. 05
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 166 of 2023

Date of Decision: 17.02.2025

1. U Baswell Nongneng Shanpru,
Son of late H. Nongtri,
R/o Village Nongumlong,
Myllem Syeimship,
East Khasi Hills District,
Meghalaya.
2. U Augustine Nengnong,
Son of (L) T. Bamon,
R/o Mawlai Phudmuri,
Shillong-793008,
East Khasi Hills District,
Meghalaya.
3. U Franco Syndor,
Son of (L) F. Syiemiong,
R/o Mawlai Kynton Massar,
Shillong-793022,
East Khasi Hills District,
Meghalaya.
4. U Kedresingh Kharpan,
S/o (L) J. Dohtdong,
R/o Jaiaw Laitdom,
Shillong-793022
5. U Bidington Kharir,
S/o (L) D. Pyngrope,
R/o Mawpat,



Myllem Syiemship,
East Khasi Hills District,
Meghalaya.

.....Petitioners

- Vs-

1. The Khasi Hills Autonomous District Council, Lumdiengjri, Shillong.
2. The Chief Executive Member of the Khasi Hills Autonomous District Council, Lumdiengjri, Shillong.
3. The Executive Committee of the Khasi Hills Autonomous District Council, Lumdiengjri, Shillong represented by its Secretary.
4. The Returning Officer, Khasi Hills Autonomous District Council, Shillong.
5. The Deputy Secretary to the Executive Committee, Khasi Hills Autonomous District Council, Shillong.
6. U Latho Manik Syiem, Myllem Syiemship, Son of (L) G. Diengdoh, Resident of Laitkor Nongdaneng, Shillong-793010, East Khasi Hills District, Meghalaya.
7. U Ainam Manik Syiem, C/o Durbar Hima Myllem, Mawkhar Main Road, Shillong, East Khasi Hills District, Meghalaya.

.....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)	:	Ms. C. Nongkhlaw, Adv. vice Mr. V.G.K. Kynta, Sr. Adv. for R 1-5. Mr. Philemon Nongbri, Adv. for R 6. Mr. L. Khyriem, 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. S. Sen, learned counsel for the petitioners, who prays that this petition may be allowed to be withdrawn with liberty to prefer a related application before another forum i.e. the Election Tribunal of the Khasi Hills Autonomous District Council (KHADC).

2. The learned counsel submits that, given the period that this petition is under consideration before this Court, there would occur a statutory delay in filing such Election Petition. It is therefore prayed that this Court would direct the Election Tribunal to favourably consider the application for condonation of delay. In this regard, the observation made by this Court in the case of *James Iangrai & Ors. v. Khasi Hills*



Autonomous District Council & Ors reported in 2022 SCC OnLine Megh
652 at para 6 is referred to by the learned counsel.

3. Mr. L. Khyriem, learned counsel for the respondent No. 7, though, not objecting to the prayer made for withdrawal of this petition, has, strongly objected to any direction to be issued by this Court as far as the said condonation of delay is concerned.

4. This Court has considered the submission made by the parties as far as the prayer made in the first part is concerned, the same is allowed. This petition is accordingly disposed of on withdrawal.

5. As to the latter part of the prayer made, considering the fact that this matter has been pending for quite some time before this Court, and also on perusal of the reference made by the learned counsel for the petitioners in the case of Shri. James Iangrai (supra), this Court would allow the prayer made, thus, directing the Election Tribunal to consider the application for condonation of delay, with liberal approach.

Judge