



Serial No. 56
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

MC[WP(C)]. No. 120 of 2025 in
WP(C). No. 149 of 2025

Date of Decision :30.06.2025

1. Managing Director, Airtel Office,
Bharti Hexacom Limited, Ward No. 2,
Holding No. 269,
Laitumkhrah Main Road,
Lower New Colony, Shillong,
East Khasi Hills, Meghalaya-793003.
2. Managing Director, Airtel Headquarters,
Bharti Crescent,
1 Nelson Mandela Road,
Vasant Kunj, Phase – II,
New Delhi – 110070.

...Applicants

-Versus-

1. Smti. Delbon Mukhim,
W/o Shri. Petrus Marboh,
R/o Umsohlait, Vill- Umsohlait,
Ri-Bhoi District – 793105.
2. Smti. Olida Mukhim,
W/o Shri. M.Mynsong,
R/o Umsohlait, Vill- Umsohlait,
Ri-Bhoi District – 793105.
3. Smti. Beautiful Mukhim,
W/o Shri. P. Wahlang,
R/o Umsohlait, Vill- Umsohlait,
Ri-Bhoi District – 793105.
4. Shri. Phlan Sing Mukhim,
S/o Shri. Elias Kshair,



- R/o Umsohlait, Vill- Umsohlait,
Ri-Bhoi District – 793105.
5. Smti. Kmenlang Mukhim,
D/o Shri. Pilat Sujai,
R/o Umsohlait, Vill- Umsohlait,
Ri-Bhoi District – 793105.
 6. Smti. Airin Mukhim,
D/o Smti. Olida Mukhim,
R/o Umsohlait, Vill- Umsohlait,
Ri-Bhoi District – 793105.
 7. Smti. Lucia Mynsong,
W/o Shri. A. Mukhim,
R/o Umsohlait, Vill- Umsohlait,
Ri-Bhoi District – 793105.
 8. Smti. Lusphina Mukhim,
W/o Shri. H.Marboh,
R/o Umsohlait, Vill- Umsohlait,
Ri-Bhoi District – 793105.
 9. Smti. Prettymai Mukhim,
D/o Shri. Kyrshanlang Shadap,
R/o Umsohlait, Vill- Umsohlait,
Ri-Bhoi District – 793105.
 10. Smti. Aidralin Mukhim,
D/o Shri Elias Kshair,
R/o Umsohlait, Vill- Umsohlait,
Ri-Bhoi District – 793105.
 11. Indus Towers Limited,
3rd and 4th Floor, Nexia Heights,
Khanapara, Mouza-Beltola,
Revenue Circle Dispur,
District-Kamrup (M),
Near Hotel Aster Premier,
G.S.Road, Assam – 781022.

...Respondents



Coram:

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

Appearance:

For the Petitioner/Applicant(s) : Mr. S.Chanda, Adv.

For the Respondent(s) : Ms. I.M.Lyngdoh, Adv. with
Ms. B.Lyngdoh, Adv. for R 1-10.
Mr. Philemon Nongbri, Adv. for R 11.

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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. This is an application for striking off the respondents No. 11 & 12, i.e. the Managing Directors, who are the executives Airtel Telecom Company.

2. The prayer for striking off has been made on the basis that the said respondents have no connection with the dispute, which is between the writ petitioner and the respondent No. 13 which constructs and erects telecom towers.

3. It is submitted by Mr. S.Chanda, learned counsel for the applicant that the Airtel is only a potential user of the towers erected by such entities.



Moreover, he submits that they have only been arrayed as proforma respondents which reflects that they have no role in the matter.

4. Ms. I.M.Lyngdoh, learned counsel for the respondents No. 1-10 has vehemently opposed the application and has submitted that in the No Objection Certificate that was sought, it specifically mentions that the same is for an Airtel tower. She further submits that they are necessary parties and their participation in the proceedings is absolutely essential and that is why they have been arrayed as proforma respondents.

5. On hearing the submissions of the learned counsel for the parties and also the respondent No. 13, Mr. Philemon Nongbri, who has categorically submitted that the respondent No. 13 is the only entity that is responsible for setting up the towers for which it is open for use by multiple telecom operators, the prayer of the respondents No. 11 & 12 is allowed and they are accordingly struck off from the array of parties.

6. Registry is directed to make necessary corrections in the cause title.

7. Misc. case accordingly stands closed and disposed of.

Judge