



Serial No.01
Daily List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WA No.40/2024

Date of Order : 16.04.2025

1. Smti. Sotjilla Sangma, W/o Shinchang Marak, R/o Okkapara Songgitcham,
West Garo Hills District, Meghalaya.

2. Shri Shinchang Marak, H/o Sotjilla Sangma, R/o Okkapara Songgitcham,
West Garo Hills District, Meghalaya. Appellants

Vs.

1. The Garo Hills Autonomous District Council, represented by its Secretary,
Executive Committee, West Garo Hills District.

2. The Chief Executive Member, Garo Hills Autonomous District Council,
West Garo Hills District.

3. The Executive Member, I/C Land and Revenue, Garo Hills Autonomous
District Council, West Garo Hills District, Tura.

4. Shri Tawe S. Sangma, S/o Lt. Kanjing Ch. Marak, R/o Okkapara
Songgitcham, P.O. Mellim, P.S. Damalgre, South West Garo Hills.

5. Smti. Noballin S. Sangma, W/o Ellingstone Marak, R/o Okkapara
Songgitcham, P.O. Mellim, P.S. Damalgre, South West Garo Hills.

6. Shri Ellingstone Ch. Marak, H/o Noballine S. Sangma, R/o Okkapara
Songgitcham, P.O. Mellim, P.S. Damalgre, South West Garo Hills.

..... Respondents

Coram:

Hon'ble Mr. Justice I.P. Mukerji, Chief Justice
Hon'ble Mr. Justice W. Diengdoh, Judge



Appearance:

For the Appellants	: Mr. P.T. Sangma, Adv
For the Respondents	: Ms. E. Dkhar, Adv with Ms. S. Dhar, Adv for R/1-3 Mr. Philemon Nongbri, Adv with Mr. E. Lalsangluaia, Adv for R/4, 5 & 6

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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: (per the Hon'ble, the Chief Justice) (Oral)

We formally admit the appeal.

As all the respondents are represented, we propose to hear it out the appeal today dispensing with all formalities.

The appellant is the heir and legal representative of the original writ petitioner who died before filing of the appeal but after pronouncement of the impugned judgment and order.

We find from the impugned judgment and order dated 23rd April, 2024 that the writ was dismissed, inter alia, on the ground that the original writ petitioner was not able to establish his locus standi in Court to maintain the writ or even to specify the reliefs he wanted. He did not even file a rejoinder to the affidavits-in-opposition filed by the respondents in the writ which resulted in admission of the averments or allegations made in the affidavits.



Now, learned Advocate appearing for the appellant prays for an opportunity to file the rejoinder affidavit to establish the right of the original writ petitioner. He says that if such an opportunity is granted, the locus standi of the original writ petitioner together with his rights would be established.

Before the Appellate Court such a prayer cannot be entertained.

However, we dispose of this appeal by giving liberty to the appellant to take out a review or any other appropriate application before the learned single judge for review of the impugned judgment and order, keeping all rights and contentions with regard to maintainability and merits of the application open.

(W. Diengdoh)
Judge

(I.P. Mukerji)
Chief Justice

Meghalaya
16.04.2025
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