



Serial No.01
Supple List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Review Petn. No. 10 of 2025 in
WP(C) No. 491 of 2021.

Date of Order: 21.08.2025

1. Shri Abdul Rashid.
S/o (Late) Abdul Latif,
Resident of 13^a JB, Jhalupara,
Shillong- 793002,
District: East Khasi Hills,
Meghalaya.

2. Smt Zubeda Khatoon
Wife of (L) Sk. Md. Ahmed
Resident of 59 CB, Lower Paltan
Bazar, Shillong- 793002,
District: East Khasi Hills,
Meghalaya.

3. SK Md. Sadique
Resident of 13^a JB, Jhalapura,
Shillong- 793002,
District: East Khasi Hills,
Meghalaya.
Represented by his wife Smti
Samsun Nisa.

4. Md. Arshad Qureshi
S/o (Late) Sk Md. Ayub and (L)
Rabia Khatoon.
Resident of Lumdiengjri, Garikhana,
Shillong – 793002,
District: East Khasi Hills, Meghalaya.

Vs. 1. Shri Aniul Haque.
2. Shri Wazul Haque.
3. Shri Mainul Haque.
4. Shri Afzal Haque.
All sons of (L) Shri Anwarul Haque

All residents of 13A JB, Cantonment
Shillong- 793002, East Khasi Hills
District, Meghalaya.

5. The Shillong Cantonment Board
Represented by the Chief Executive
Officer, Shillong
East Khasi Hills District, Meghalaya.

6. The Chief Executive Officer,
Cantonment Board, Shillong,
East Khasi Hills District, Meghalaya.



.....PETITIONERS

.....RESPONDENTS.

Coram:

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. S. D. Upadhaya, Adv.

For the Respondent(s) : Mr. S. P. Mahanta, Sr. Adv. with
Mr. D. Dkhar, Adv.

ORAL:-

Heard Mr. S. D. Upadhaya, learned Counsel appearing for the petitioners and Mr. S. P. Mahanta, learned Senior Counsel assisted by Mr. D. Dkhar, learned Counsel appearing for the respondents.

1. By this review application, the petitioners have sought for review of the judgment and order dated 06-08-2025 passed in WP(C) No. 491 of 2021 whereby a direction was issued to the Cantonment Board to consider the application for mutation filed by the writ petitioners/ respondent Nos. 1 – 4 herein.

2. Mr. S. D. Upadhya, learned Counsel for the review petitioners submits that the judgment and order dated 06-08-2025 was passed on the projection of writ petitioners that their application for mutation was not considered and disposed of by the Cantonment Board. He submits that perusal of the Annexure – 18, pages 44 – 45 of the writ petition would reveal that the mutation application of the writ petitioners were disposed of by the concerned authorities. He, therefore, contends that the judgment and order



dated 06-08-2025 suffers from apparent error as there had arisen no occasion for this Court to issue the direction for consideration of the mutation application which already stood disposed of. He, thus, submits that it is a fit case where power of review of the Court be exercised to recall the judgment and order dated 06-08-2025.

3. Mr. S. P. Mahanta, learned Senior Counsel appearing for the respondent No. 5 & 6 (Shillong Cantonment Board), on the other hand, has vehemently refuted the contention of the review petitioners and submitted that the application of the writ petitioners concerning the mutation of lease hold right of Holding No.13A J.B. Jhalupara Cantonment, Shillong is still under consideration. In support of his submission, the learned Senior Counsel has placed on record a communication dated 27-05-2024 of the Chief Executive Officer, Shillong Cantonment Board, whereby certain documents were called for from the concerned party to the mutation proceeding.

4. Perusal of the Annexure-18 to the writ petition reveals that it is a representation dated 06-02-2021 addressed to the Chief Executive Officer, Shillong Cantonment Board by the writ petitioners/ respondent Nos. 1-4 seeking rejection of the objection raised by the review petitioners. Therefore, it is not a document issued by the Cantonment Board. The contents of the Annexure-18 do not reveal that the mutation application of the writ petitioners were disposed of by the Cantonment Board at any point of time. Further, the submission advanced by the learned Senior Counsel for the Cantonment Board makes it amply clear that the mutation application in question is still under consideration of the appropriate authorities of the Cantonment Board. Hence, no illegality or infirmity can be attributed to the judgment and order passed in the writ petition.



5. Viewed from above, there appears to be no apparent error in the judgment and order dated 06-08-2025 passed in WP(C) No. 491 of 2021. There is no merit in this review application and the same stands rejected.

Judge

Meghalaya
21.08.2025
"Biswarup PS"

