



Serial No.02
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

CRP No.12 of 2026

Date of Order: 20.05.2026

Rt. Revd. Dr. Michael Herenz aged about 55 years
 Bishop, Diocese of North East India,
 Church of North India, having address at Bishop's Kutu,
 M.G. Road, I.G.P., Shillong, Meghalaya-793001.

.....Petitioner

-VERSUS-

1. Shri. Archibald S. Kharपुरi, Secretary
 Shillong Pastorate Committee, All Saint's Hall,
 IGP Shillong, East Khasi Hills District, Meghalaya-793001
(Applicant/Review Petitioner before the Court below)

2. The Synod of the Church of North India, CNI Bhawan,
 16, Pandit Pant Marg, New-Delhi-110001.

3. Rev. Dr. D.J. Ajith Kumar, General Secretary,
 CNI Synod, CNI Bhawan, 16, Pandit Pant Marg,
 New-Delhi-110001.

.....Respondents

Coram:

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. K. Paul, Sr.Adv with
 Mr. C. Garg, Adv

For the Respondent(s) : Mr. S. Sen, Adv with
 Mr. D.G. Pyngrope, Adv (R:1)
 Mr. K. Khan, Sr.Adv
 Mr. S.K. Hassan, Adv (R:2-3)

(ORAL)

Heard Mr. K. Paul, learned Senior counsel assisted by Mr. C. Garg,
 learned counsel appearing for the petitioner, Mr. S. Sen, learned counsel
 assisted by Mr. D.G. Pyngrope, learned counsel appearing for the



respondent No.1 and also Mr. K. Khan, learned Senior counsel assisted by Mr. S. K. Hassan, learned counsel appearing for the respondent Nos. 2 – 3.

By this revision petition, the petitioner has questioned the legality and correctness of the order dated 30.04.2026 passed by the learned Additional District Judge, Shillong in Review Petition No.1(H) of 2026 by which the learned Court has recalled an earlier order dated 23.04.2026 passed in RFA No.1(H) of 2026.

Although the learned counsels appearing for the parties have argued the matter at length presenting their respective versions of the case, it appears that the primary contention raised in the present revision petition is with regard to the nature of the findings recorded in the impugned order dated 30.04.2026.

The learned Senior Counsel for the petitioner contended that the findings recorded in the impugned order dated 30.04.2026 are in the nature of final and conclusive findings and have the effect of negating the entire suit filed by the petitioner and further consideration of the interim prayer by the trial court. The learned Senior Counsel for the petitioner has drawn the attention of this Court to the relevant portions of the impugned order and submitted that the findings recorded in paragraphs 14 and 20 thereof give an impression that the said findings are final and conclusive in nature and, in that view of the matter, the learned trial court, where the suit is pending consideration, including the question of grant of interim relief, will not be in a position to adjudicate the controversy between the parties by applying its free and independent mind.

The learned counsel appearing for the respondent No.1 and the learned Senior Counsel appearing for the respondent Nos. 2 and 3 submitted that the petitioner has not disclosed the entire factual aspect of the matter in this revision petition. It is further contended that the findings recorded in the impugned order dated 30.04.2026 were based on the pleas



raised by the respective parties before the learned appellate court and the petitioner having not disputed the facts recorded therein, cannot now come and raise any grievance against the same.

Perusal of the record reveals that the learned appellate court, upon being approached, passed an order dated 23.04.2026 granting limited injunction in favour of the petitioner herein, which was to remain operative till 30.04.2026. However, on 30.04.2026, the learned appellate court, while considering the review application filed by the respondent No.1, reviewed the earlier order dated 23.04.2026. It appears from the record that the injunction order dated 23.04.2026 was to remain operative only till 30.04.2026 and, therefore, the impugned order reviewing the earlier injunction order does not appear to be of much relevance at this stage. It is imperative to take note that though the learned appellate court initially granted limited injunction and subsequently reviewed the order, it left the question of grant of interim injunction to be decided by the learned trial court.

As both the aforesaid orders are not of much relevance at this juncture, and considering the limited grievance raised by the petitioner before this Court, the present revision petition is disposed of with a direction that the findings recorded by the learned appellate court in the impugned order dated 30.04.2026 at paragraphs 14 and 20 shall be treated only as findings of a *prima facie* nature. The learned trial court, while adjudicating the main title suit and the question of interim prayer shall not be bound by the findings recorded by the learned appellate court in any of its orders referred herein above.

With the above observation, this revision petition stands disposed of.

Judge

Meghalaya

20.05.2026

"Srivaty PS"