Serial No. 01
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

CRP No. 18 of 2024

Date of Order: 16.10.2024

Smti Dronola Warjri **… Petitioner(s)**

Versus

Shri Strickshon Warjri,
S/o (L) M. Warjri,
R/o Umlyngka, Upper Shillong,
East Khasi Hills District,
Meghalaya **… Respondent(s)**

Coram:

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

Appearance:

For the Petitioner(s) : Mr. D. Thabah, Adv.

For the Respondent(s) : Mr. F. Shangpliang, Adv.

i) Whether approved for reporting in Law journals etc.: Yes/No

ii) Whether approved for publication in press: Yes/No

(ORAL)

1. This revision application has been filed assailing the orders dated 19.07.2024 and 26.07.2024, whereby the Suit of the petitioner has been dismissed for default.

2. Mr. D. Thabah, learned counsel for the petitioner has submitted that he is constrained to approach this Court with this application, inasmuch as, he wants to bring to the notice of this Court the manner in which the Subordinate District Council Court had conducted the case. It is submitted that on 19.07.2024 when an order was passed that last opportunity be given to the plaintiff, the learned counsel was not aware about the date, inasmuch as, as per the CIS it was reflected only in the evening as to the fixation of the said date. It is further submitted that on 26.07.2024, when the matter was taken up, he was busy in another Court in a cross-examination and went to the Court at 1:10 P.M, and found that the Suit had been dismissed, though he had filed hazira. As such, he prays for appropriate orders, for restoration of the Suit.

3. Mr. F. Shangpliang, learned counsel for the respondent however has disputed the arguments made by the learned counsel for the petitioner.

4. This Court has examined the matter and it is noted that whatever be the reasons or grievances the petitioner might have with regard to the conduct of business by the Subordinate District Council

Court, as the order is appealable under Rule 28 of the United Khasi-Jaintia Hills Autonomous District (Administration of Justice) Rules, 1953, the Court of Judge District Council Court will be the appropriate forum to take up the instant case for consideration in the form an appeal, against the impugned orders.

5. Accordingly, it is directed that the petitioner approach the Court of the Judge, District Council Court, with an appeal petition, who shall take up the same for consideration and pass necessary orders thereon.

6. With the above directions, the matter accordingly stands disposed of.

JUDGE

Meghalaya
16.10.2024
"V. Lyndem-PS"

Signature Not Verified
Digitally signed by
VALENTINO LYNDEM
Date: 2024.10.16 17:09:22 IST