



Serial No.16
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 337 of 2024

Date of Decision : 05.12.2024

1. Shri. Amit Saraf.
2. Shri. Samit Saraf.
3. Shri. Binit Saraf.

...Petitioners

-Versus-

1. The Syiem Hima Myllem and Durbar
Myllem Syiemship, Mawkhar Main Road,
Shillong – 793001.
2. Smti. Sushila Devi Saraf,
W/o (L) Kailash Chandra Saraf,
R/o Flat No 1A, Old Grass Factory Compound,
Fatasil, Guwahati – 781009.

...Respondents

Coram:

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

Appearance:

For the Petitioner/Applicant(s) :	Mr. Philemon Nongbri, Adv. Mr. R.Pahsyntiew, Adv.
For the Respondent(s) :	Mr. R.K.Synrem, Adv. for R 1. Ms. K.Gurung, Adv. for R 2.

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

- ii) Whether approved for publication Yes/No
in press:_
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JUDGMENT AND ORDER (ORAL)

1. The instant writ petition is directed against the impugned order declaring the Patta No. 233 of 2022, issued by the respondent No. 1 as null and void.
2. It is submitted by Mr. Philemon Nongbri, learned counsel for the petitioners that at the time when the new impugned Patta No. 113 of 2024 was issued with respect to the property in question, the petitioners who belong to the same joint family were not heard.
3. Mr. R.K.Synrem, learned counsel appearing for the respondent No. 1 has submitted on instructions that as the petitioners were not heard, the respondent No. 1 is agreeable to allow them to file their written statements or objections, and the matter be heard afresh.
4. Considering the submissions made by the learned counsel for the respondent No. 1, this matter is disposed of at this stage itself by setting aside the order dated 11th March, 2024, issued by the Syiem of Myllem respondent No. 1 and the consequent Patta, and the matter is directed to be heard afresh by the respondent No. 1 in accordance with law.



5. Mr. R.K.Synrem, learned counsel submits that the respondent No. 1 will accordingly issue notice to the petitioners and the sole private respondent for fixation of dates to take up the matter.
6. As ordered above, matter accordingly stands closed and disposed of.

Judge