Serial No. 05
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 352 of 2023

Date of Order: 19.03.2024

Shri. Kamal Chettri,
S/o (L) Rewati Chettri
R/o Reid Chest Hospital Area,
Jhalupara, Shillong, East Khasi
Hills District, Meghalaya. ::::: Petitioner

-Vs-

1. The State of Meghalaya,
Represented by the Chief
Secretary of Meghalaya,
Government of Meghalaya.

2. The Registrar, O/o Deputy Commissioner,
East Khasi Hills District,
Shillong, Meghalaya.

3. The Sub-Registrar, O/o Deputy Commissioner,
East Khasi Hills District,
Shillong, Meghalaya.

4. The Headman and Secretary
Mawkasiang/Mawdiangdiang
and Umroh Elaka Mylliem
Syiemship, Shillong, Meghalaya. ::::: Respondents

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

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

For the Respondent(s) : Ms. S. Bhattacharjee, GA. with
Ms. S. Shyam, GA. for R 1-3.

Mr. L. Khyriem, Adv. for R 4.

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

ORAL:

1. Heard learned counsel for the respective parties.

2. The prayer of the petitioner herein is for a direction to the respondent No. 3/Sub-Registrar, East Khasi Hills District, Shillong to dispose of the matter for registration of the Deed of Declaration put forth by the petitioner herein. It is because of the delay in the disposal of such an application that the petitioner has come before this Court with an application under Article 226 of the Constitution of India.

3. In the meantime, as has been submitted by Mr. L. Khyriem, learned counsel for the respondent No. 4, it appears that there is a pending appeal involving the parties whose status is not known to the petitioner herein. It is also noticed that the Sub-Registrar, East Khasi Hills District, Shillong vide Communication No. EKRN.22/15/2006/200, dated Shillong, the 22nd December, 2023, copy of which has been brought on record and marked as Annexure-X, has made a query from the Additional Deputy Commissioner, Judicial Branch, East Khasi Hills District, Shillong as

regard the status of T.C.A. No. 49 (T) of 1999, wherein no response has been received so far in this regard. Under the circumstances, the parties have submitted that they may be allowed to pursue the matter before the Sub-Registrar and also for this Court to impress upon the Sub-Registrar to dispose of the said application at the earliest.

4. In consideration of the submission made, without going into the merits of the issue in hand, suffice it to say that on the basis of the said Communication dated 22nd December, 2023 issued upon the Additional Deputy Commissioner, Judicial Branch, East Khasi Hills District, Shillong, the Sub-Registrar is directed to diligently pursue the matter and all relevant parties to be informed accordingly. The Sub-Registrar is requested to dispose of the matter preferably within a period of 6(six) months from the date of this order.

5. This petition is accordingly disposed of as indicated hereinabove. No costs.

Judge

Meghalaya
19.03.2024
"D. Nary, PS"