Serial No. 02
Daily List

HIGH COURT OF MEGHALAYA
AT SHILLONG

MC(WA) No. 58 of 2024

Date of order: 26.11.2024

1. Smti. Sotjilla Sangma

2. Shri. Sinchang Marak

...Applicants

- Versus -

1. The Garo Hills Autonomous District Council represented by its Secretary, Executive Committee and West Garo Hills District.

2. The Chief Executive Member, Garo Hills Autonomous District Council, West Garo Hills District.

3. The Executive Member, I/c Land and Revenue, Garo Hills Autonomous District Council, West Garo Hills District, Tura.

4. Shri. Tawe S. Sangma
S/o Lt. Kanjing Ch. Marak
R/o Okkapara Songgitcham
P.O. Melim, P.S. Damalgre
South West Garo Hills.

5. Smti. Noballin S. Sangma
W/o Ellingstone Marak
R/o Okkapara Songgitcham
P.O. Mellim, P.S. Damalgre
South West Garo Hills.

6. Shri Ellingstone Ch. Marak
H/o Noballine S. Sangma
R/o Okkapara Songgitcham
P.O. Mellim, P.S. Damalgre
South West Garo Hills.

...Respondents

Coram:
Hon'ble Mr. Justice I.P. Mukerji, Chief Justice
Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Applicants : Mr. P.T. Sangma, Adv.

For the Respondents : Ms. N. Rajee, Adv. [For R1-3]
None for R4-6

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

We notice from the records that there was some flaw in the procedure adopted by the applicants.

The judgment and order under appeal had been passed on 23rd April, 2024.

On 1st May, 2024, the original petitioner died. On 12th June, 2024, the instant appeal was filed by the present applicants, the legal heirs and representatives of the deceased petitioner together with an application [MC(WA) No. 23 of 2024] for substitution. Due to some technical defects, the application was dismissed by the bench presided over by the then Chief Justice with leave to file a fresh application.

There was no question of any substitution because before filing of the appeal, the petitioner was dead. His legal heirs and representatives needed leave of the Court to file the appeal. Instead, without such leave the appeal was filed by his legal heirs and representatives. However, to avoid multiplicity of proceedings and for

the ends of justice, we regularise the matter by disposing of this miscellaneous application by granting leave to the applicants to prefer the appeal with retrospective effect from the date of filing the appeal.

The Registry of this Court is to act accordingly.

MC(WA) No. 58 of 2024 is disposed of.

(W. Diengdoh)
Judge

(I.P. Mukerji)
Chief Justice

Signature Not Verified
Digitally signed by SYLVANA LIZ KHARBHIH
Date: 2024.11.26 18:02:13 IST