



Serial No.01
Supple List

HIGH COURT OF MEGHALAYA
AT SHILLONG

CRP. No. 30 of 2024

Date of Order: 11.12.2024

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1.Smti. Ismodel Syiemiong
Daughter of (L) Tilosis Syiemiong
Resident of Phlangmawprah Village,
Langrin Syiemship, South West
Khasi Hills, Meghalaya.

Vs. Shri.Bryllhenry Syiemiong.
Acting Syiem Hima Langrin
Syiemship Phlangdiloin
Langrin Syiemship,
South West Khasi Hills,
Meghalaya.

2. Smti. Unlestly Syiemiong
Daughter of (L) Tilosis Syiemiong
Resident of Phlangmawprah Village,
Langrin Syiemship, South West
Khasi Hills, Meghalaya.

....Petitioners.

....Respondent.

Coram:

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. J. Shylla, Adv.

For the Respondent(s) :

ORAL:-

Heard Mr. J. Shylla, learned Counsel appearing for the petitioner.



This revision application has been preferred by the petitioner before this Court against the order dated 14-11-2024 passed in Misc. Case No. 201 of 2024 arising out of Title Suit No. 3 of 2024 on the perceived notion that the appellate authorities in the District Council Court may not take up the matter as because they had played a role as Presiding Officer in the previous round of litigation involving the parties herein in Title Suit No. 3 of 1990 which was disposed of on 18-04-2012 on the basis of a settlement.

It is submitted by the learned Counsel for the petitioner that the present Title Suit No. 3 of 2024 has arisen out of a fresh cause of action which was not a part of the earlier round of litigation between the parties herein.

This Court, *prima facie*, is of the view that just because the present appellate authorities in the District Council Court had played their role as Presiding Officer in the previous round of litigation between the parties, there cannot be any legal bar for them, as the appellate authority, to take up the instant matter which has arisen out of a fresh cause of action.

In view of the above, the learned Counsel for the petitioner prays for withdrawal of this revision petition with liberty to approach the appellate authority in accordance with law.

On prayer being made, this revision petition stands dismissed on withdrawal with liberty as prayed for.

It is made clear that in the event of filing of any appeal by the petitioner against the order dated 14-11-2024 impugned herein, the appellate authority will be at liberty to take a call, if it is deemed



necessary, as to whether there exists any legal bar for the said authority to take up the matter or not before entertaining the appeal.

Judge

Meghalaya
11.12.2024
“Biswarup PS”

