



Serial No.51
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 32 of 2025

Date of Decision : 05.05.2025

Shri. Lovingstonewell Kharkongor.

...Petitioner

-Versus-

1. Khasi Hills Autonomous District Council,
Represented by its Secretary,
Shillong, East Khasi Hills District,
Meghalaya.
2. The Deputy Chief Executive Member,
Khasi Hills Autonomous District Council,
Shillong- 793002,
East Khasi Hills District, Meghalaya.
3. The Executive Committee,
Khasi Hills Autonomous District Council,
Shillong- 793002,
East Khasi Hills District, Meghalaya.
4. Smti. Briasila Kharkongor,
Ing Khatduh, Kharkongor Clan,
Nongthymmai, Shillong,
East Khasi Hills District, Meghalaya.
5. Rangbah Kur,
Kharkongor, Nongthymmai Clan,
East Khasi Hills District, Meghalaya.
6. Sordar Shnong,
Urmasi-U-Joh,
East Khasi Hills District,
Meghalaya.



7. Syiem of Hima Khyrim,
Khyrim Syiemship,
East Khasi Hills District,
Meghalaya.

...Respondents.

Coram:

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

Appearance:

For the Petitioner/Applicant(s) : Mr. E.Nongbri, Adv.

For the Respondent(s) : Mr. T.T.Diengdoh, Sr. Adv. with
Mr. R.Kharsyad, Adv. for R 1-3.
Ms. O.A.I.Bang, Adv. for R 4 & 5.
Ms. E.B.Passah, Adv. for R 6.
Ms. I.M.Lyngdoh, Adv. for R 7.

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| i) | Whether approved for reporting in
Law journals etc: | Yes/No |
| ii) | Whether approved for publication
in press: | Yes/No |
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JUDGMENT AND ORDER (ORAL)

1. At the outset, it has been apprised to this Court that the order impugned herein has been signed and passed by only one Executive Member of the Executive Committee of Khasi Hills Autonomous District Council.



2. Mr. T.T.Diengdoh, learned Sr. counsel assisted by Mr. R.Kharsyad, learned counsel on behalf of the respondents No. 1-3 has very fairly submitted that in this view of the matter as the old Act of the United Khasi-Jaintia Hills Autonomous District (Appointment and Succession of Chiefs and Headman) Act, 1959, and the new Act which has come into force on 11th November, 2024, having mandated that two or more Members will be authorised to exercise power on behalf of the Executive Committee, the impugned order in question is incompetent.

3. Accordingly, on this submission, without further going into the merits, the same is set aside for want of jurisdiction and the matter is remanded back to the Executive Committee for reconsideration afresh.

4. Ordered accordingly.

5. It is expected that the matter shall be disposed of expeditiously.

Judge