

(2025) 11 MEG CK 1794
In the Meghalaya High Court
Case No : Writ Petition (C). No. 140 Of 2025

Bishal Tham & Ors

APPELLANT

Vs

Khasi Hills Autonomous District Council. Shillong & Ors

RESPONDENT

Date of Decision : 11-11-2025

Acts Referred:

Khasi Hills Autonomous District (Nomination, Succession And Election Of Syiem, Deputy Syiem, Lyngkor, Bakhraw, Sordar Shnat Raid, Longsan Monsan Shnat Road, Rangbah Shnong Or Sordar Shnong And Administration Of Khyrim Syiemship), Act, 2024 — Section 21(3)

Citation : (2025) 11 MEG CK 1794

Hon'ble Judges : H. S. Thangkhiew, J

Bench : Single Bench

Advocate : H.L.Shangreiso, T.Dkhar, T.T. Diengdoh, C.C.T. Sangma, R.Majaw, N.G. Shylla, F. Kharsyiemiiong

Judgement

H.S.Thangkhiew, J

1. In this is the second round of litigation, the writ petitioner who had earlier preferred a writ petition being WP(C). No. 422 of 2024, has assailed the Public Notice dated 17-04-2025, issued by the respondent No. 4, on the ground that many bonafide residents of the village have been excluded from the voters list prepared by the respondent No. 4.

2. Mr. H.L.Shangreiso, learned Sr. counsel assisted by Mr. T.Dkhar, learned counsel on behalf of the petitioner, submits that though this Court by order dated 26-02-2025, passed in WP(C). No. 422 of 2024, had directed the Headman of Urksew-Wahpathaw village (respondent No. 3), to convene a dorbar within a period of two months by allowing all bonafide village residents to participate, but the same has not been complied with, inasmuch as, there has arisen a controversy with regard to the names that have appeared in the voters list.

3. Mr. R.Majaw, learned counsel for the respondents No. 3 & 4, has submitted that the Public Notice dated 17-04-2025, had categorically called for all residents

who are eligible to participate in the dorbar to bring forward their names for inclusion or for removal. Learned counsel submits that the writ petitioner, instead of replying to the said Notice has preferred the instant writ petition challenging the same. He further submits that the election list has since been expanded and includes 900 electors, and the writ petitioners will also not be debarred from participating in the said dorbar if the same is held.

4. Mr. T.T.Diengdoh, learned Sr. counsel assisted by Mr. C.C.T.Sangma, learned counsel for the respondents No. 1 & 2 KHADC, at this juncture has referred to Section 21(3) of the Khasi Hills Autonomous District (Nomination, Succession and Election of Syiem, Deputy Syiem, Lyngskor, Bakhraw, Sordar Shnat Raid, Longsan Monsan Shnat Road, Rangbah Shnong or Sordar Shnong and Administration of Khyrim Syiemship), Act, 2024, and submits that the statute provides for a referendum if there is any dispute with regard to the office of the Sordar shnong etc. However, he submits that in the instant matter, perhaps the issue can be resolved if the dorbar which is not an election to Headman, be convened under the observation and supervision of the District Council to ensure a free and fair process.

5. On hearing the submissions of the learned counsel for the parties, it appears that the only deadlock that is preventing the convening of the dorbar of Urksew-Wahpathaw village is the issue of the voters list. Though it is a standing practice that the voters who are registered and hold a valid EPIC Card for a certain village will be bonafide residents who will be considered eligible to participate in the dorbar, however, in order to avoid any other confusion, the respondent No. 4 is directed to submit the list of voters to the respondent No. 2 as also the writ petitioners, as to the names which they submit have been excluded, for examination by both the parties on a date to be so fixed. Thereafter, on the same being finalised, the dorbar shall be held under the supervision of an observer to be deputed by the office of the Syiem of Khyrim as also the District Council. The entire exercise shall be completed within a period of two months from today and a dorbar be fixed immediately thereafter.

6. With the above directions, the writ petition stands closed and disposed of.