
(2014) 05 MEG CK 0025

In the Meghalaya High Court

Case No : W.A. No. 48 of 2013 in W.P. (C) No. 44 of 12

Nongkyndang

APPELLANT

Vs

Khasi Hills Autonomous District Council and Others

RESPONDENT

Date of Decision : 16-05-2014

Acts Referred:

Citation : (2014) 05 MEG CK 0025

Hon'ble Judges : Prafulla C. Pant, C.J.; Sudip Ranjan Sen, J

Bench : Division Bench

Advocate : N.G. Shylla, Advocates for the Appellant; P.S. Nongbri, Advocates for the Respondent

Judgement

Prafulla C. Pant, C.J.

1. This writ appeal is directed against the judgment and order dated 13.11.2013, passed in WP(C) No. 44 of 2012, whereby, learned single Judge has directed the writ petitioner and respondent No. 3 to file their applications before respondent No. 2 for taking a decision regarding creation of new village in the name and style of Nongkyndang Rambrai Village which was earlier part of Mawthir Village.

2. Heard.

3. During the arguments of the appeal, learned counsel for the parties admitted that the writ petitioner (present respondent No. 3) and respondent No. 3 (present writ appellant) have already made representations before the respondent No. 2 for decision as to the creation of Nongkyndang Rambrai Village.

4. In view of said fact, learned counsel for the writ petitioner pointed out that this writ appeal has become infructuous. But learned counsel for the respondent No. 3/writ appellant contended that the appellant needs interim directions of this Court to administer village Nongkyndang Rambrai.

5. Since the matter of creation of village Nongkyndang Rambrai village is pending for decision before respondent No. 2 i.e. Syiem of Hima Rambrai,

Rambrai Syiemship, Nongstoin, West Khasi Hills District, we think it just and proper to dispose of the writ appeal in the above facts and circumstances of the case, with the observations that the respondent No. 2 may consider the interim prayer of the respondent No. 3/writ appellant if made before such authority relating to administration of Nongkyndang Rambrai village. We further observe and direct that the respondent No. 2 shall take a decision on the representations already made by the writ petitioner (present respondent No. 3) and respondent No. 3 (present writ appellant) as expeditiously as possible preferably within a period of six months from the date of certified copy of this order produced before such authority.

6. This writ appeal stands disposed of.