
(2018) 02 MEG CK 0013
In the Meghalaya High Court
Case No : 221 of 2017

Shri Aiborlin Paliar Kpohbah

APPELLANT

Vs

Khasi Autonomous District Council & Ors.

RESPONDENT

Date of Decision : 15-02-2018

Acts Referred:

Citation : (2018) 02 MEG CK 0013

Hon'ble Judges : S.R.Sen

Bench : Single Bench

Advocate : B.K.Deb Roy, P.Nongbri, P.Yobin, P.S.Nongbri

Final Decision : Disposed off

Judgement

1. Heard Mr. B.K.Deb Roy, learned counsel for the petitioner as well as Ms. P.S. Nongbri, learned counsel for the respondents No. 1 and 2, Mr.

P.Yobin, learned counsel for the respondent No. 3 and Mr. P.Nongbri, learned counsel for the respondent No. 4.

2. The petitioner's case in a nutshell is that:

The Petitioner was duly elected as the Acting Lyngdoh of the Paliar Clan by its members on the 12th April, 2016 and the Syiem of

Nobosohphoh, Nobosohphoh Syiemship vide Memo. No. NG/AL-M 3 KPOH/ No.6/2016/4 dated 21/04/2016 had appointed the petitioner as

the Acting Lyngdoh of Paliar Clan Mawkyda 3 Womb 3 Female, Nobosohphoh, South West Khasi Hills District.

That vide impugned Memo No. DC.XXVII/Genl/PF/19/2013- 17/21/272, Dt. Shillong, the 19th July, 2017, the Joint Secretary to the Executive

Committee, Khasi Hills directed the Syiem of Nobosohphoh, Nobosohphoh Syiemship to appoint one Shri Hamland Paliar as the new Acting

Lyngdoh of Kur Paliar (Paliar Clan) and the Syiem Nobosohphoh vide impugned Memo No. NSS/POL (EI-1) 2016-17/361 "A" dated

Rangblangpombriew, the 24th July, 2017 invited respondent No. 4 (Shri Hamland Paliar) who was not elected to take his appointment letter.

Hence this writ petition.

3. Mr. B.K.Deb Roy, learned counsel who appeared on behalf of the Acting Lyngdoh submits that if the election is held, he has no objection.

4. On the other hand, Mr. P.Nongbri, learned counsel for the respondent No. 4 submits that the voters list has already been prepared by the

respondent No. 3 in consultation with the clan members of the area called Nobosohphoh and there is no dispute about the voters list. He also

further contended that the date of the election has also already been declared and nomination has been filed, so this matter can be disposed of with

necessary direction.

5. Ms. P.S.Nongbri, learned counsel for the respondents No. 1 and 2 submits that the District Council has no objection and they are ready to

conduct the election through the Syiem.

6. Mr. P. Yobin, learned counsel for the respondent No. 3 submits that there is still some confusion in the voters list amongst the petitioner and the

respondent No. 4, so some time may be given.

7. After hearing the submissions advanced by the learned counsels for the parties, I am of the considered view that since the petitioner counsel and

the counsel for the respondent No. 4 has already submitted that they are not disputing the voters list and the District Council also has no objection;

as such, there is no bar to hold the election.

8. Accordingly, this petition is disposed of with a direction to the respondents No. 1, 2 and 3 to conduct/hold the election within a month from the

date of this order.

9. With this observation and direction, this writ petition is allowed to that extent and stands disposed of.

10. No order as to cost.