



Serial No. 01
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

SA No. 1 of 2025

Date of Decision: 26.03.2026

Ka Antinora Rynghang,
W/o U Drass Muktieh
R/o Mawbri Village,
Raid Iapngar, Khyrim Syiemship,
Ri-Bhoi District

... Appellant(s)

Versus

1. Ka Dorbar Shnong Mawbri represented by its
Rangbah Shnong, Raid Iapngar, Khyrim Syiemship,
Ri-Bhoi District.

2. The General Secretary,
Ka Dorbar Shnong Mawbri,
Raid Iapngar, Khyrim Syiemship,
Ri-Bhoi District

3. Ka Nebelda Marpan,
W/o U Hermon Shadap,
R/o Lumsohpieng, Bhoirybong,
Myllem Syiemship

... Respondent(s)

Coram:

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

Appearance:

For the Appellant(s) : Mrs. N.G. Shylla, Adv. with
Ms. B. Diengdoh, Adv.

For the Respondent(s) : Mr. A.R. Passah, Adv. with
Ms. A. Ksoo, Adv.



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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. This application has been filed under Order 3 of the High Court of Meghalaya (Jurisdiction over District Council Courts) Order, 2014.
2. The brief facts are that the appellant as plaintiff had instituted a Title Suit No. 13 of 2024 before the District Council Court for declaration of right, title and interest over the Suit land mentioned therein along with other reliefs. A Misc. Case being No. 22 of 2024 was also filed for grant of interim injunction. The Trial Court then by order dated 15.03.2024, was pleased to grant ad interim injunction in favour of the appellant/plaintiff. Being aggrieved thereby, the respondents herein had preferred a Misc. Civil Appeal No. 3 of 2024 before the Lower Appellate Court, which then by order dated 02.05.2024, stayed the order of injunction, however by incorrectly recording the date which was corrected allegedly without any application. This prompted the appellant to file a civil revision petition before this Court being CRP No. 10 of 2024, which was disposed of by order 09.07.2024 with a direction to the Lower Appellate Court to hear the



matter afresh and for the parties to maintain status quo. Thereafter, Misc Civil Appeal No. 3 of 2024 was heard afresh and was disposed of by order dated 06.08.2025 with the finding that the Title Suit filed by the appellant before the Trial Court was not maintainable. Hence, the present appeal.

3. The Lower Appellate Court it is noted, had allowed the Appeal of the respondent on the ground that the subject matter in issue was already adjudicated before the Dorbar Shnong Mawbri which was registered as Mukotduma No. 3 of 2023, wherein by judgment and order dated 09.10.2023, had passed an order that the respondent was the owner of the land, and that the appellant/plaintiff should have preferred an appeal as provided under Rule 18 of the *United Khasi Jaintia Hills Autonomous District (Administration of Justice) Rules, 1953*, against the order, instead of instituting a fresh suit.

4. This Court has examined the Memo of Appeal and has also heard the learned counsel for the parties. The grounds set forth do not address the issue in question rather are general in nature, but however it is noted that on a question of whether Dorbar Shnong Mawbri, Raid Iapngar Khyrim Syiemship was a duly constituted Village Court, the appellant had sought clarification from the office of Executive Committee, KHADC vide letter dated 02.09.2025, which by reply dated 08.09.2025, informed the appellant that the said Dorbar Shnong Mawbri was not constituted as a



Village Court. Though this clarification was not available before the Lower Appellate Court when it passed the order under appeal on the premise that Dorbar Shnong Mawbri was a duly constituted Village Court, this Court cannot ignore this factual aspect, which has been brought on record before this Court by the appellant. The learned counsel for the parties on account of this fact, are also in agreement that the Title Suit No. 13 of 2024, pending before the Subordinate District Council Court at Nongpoh, be restored to file and be allowed to proceed.

5. This Court in consideration of the facts and circumstances and as agreed to by the parties, accordingly disposes of the instant Appeal by remanding the matter back to the Subordinate District Council Court at Nongpoh for re-commencement of the trial. Consequently, the order dated 06.08.2025 passed by the Lower Appellate Court in Misc. Civil No. 3 of 2024, is set aside. It is further directed that till the injunction matter pending in the Trial Court is finally heard, status quo shall be maintained by the parties over the Suit land in question.

6. The records be transmitted back immediately.

JUDGE

Meghalaya
26.03.2026
"V. Lyndem-PS"