



**Serial No.03**  
**Regular List**

**HIGH COURT OF MEGHALAYA**  
**AT SHILLONG**

Review Pet. No. 24 of 2025 in  
WP(C). No. 81 of 2024 (disposed of)

Date of Decision: 12.03.2026

Shri. Kynsaiborlang N. Syiem,  
The Syiem of Hima Bhowal,  
Son of (L) M. K.Bani,  
Resident of Ingkyrsa, Mawsynram,  
East Khasi Hills District, Meghalaya.

...Review Petitioner

-Versus-

1. Shri. Niandro Syiemiong,  
Syiem of Maharam Syiemship,  
Mawkyrwat, South West Khasi Hills District,  
Meghalaya.
2. The Khas Hills Autonomous District Council,  
Represented by its Secretary  
Executive Committee, Shillong,  
Meghalaya.
3. The Chief Executive Member,  
KHADC, Shillong.
4. The Deputy Secretary to the  
Executive Committee,  
KHADC, Shillong.
5. The Executive Member,  
I/c Elaka Administration,  
KHADC, Shillong.

...Respondents




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**Coram:**

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

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**Appearance:**

For the Petitioner/Applicant(s) : Mr. K.Paul, Sr. Adv. with  
Ms. K.Decruse, Adv.  
Mr. B.Snaitang, Adv.

For the Respondent(s) : Mr. H.L.Shangreiso, Sr. Adv. with  
Ms. M.Hajong, Adv. for R 1.  
Mr. S.Marpan, Adv. for R 2-5.

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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. The instant review application has been filed seeking review of the judgment and order dated 24-11-2025, passed by this Court in WP(C). No. 81 of 2024, whereby it was held that the order in appeal dated 21-12-2023, passed by the Executive Committee was incompetent as it was signed by only a single member of the Executive Committee.

2. Mr. K.Paul, learned Sr. counsel assisted by Ms. K.Decruse, learned counsel on behalf of the review petitioner, has submitted that the review has



been necessitated in view of the fact that it was not brought to the notice of the Court that the order was infact not signed by a single member of the Executive Committee, but by the Chief Executive Member. Learned Sr. counsel has then taken this Court to Rule 28 (1) of the Assam and Meghalaya Autonomous Districts (Constitution of District Councils) Rules, 1951, to show that an order passed by the Chief Executive Member would be valid on any order or instrument, passed or executed by the Executive Committee. He therefore, prays that in view of the operation of Rule 28, the order be recalled and the main writ petition be taken up for consideration.

3. In reply, Mr. H.L.Shangreiso, learned Sr. counsel assisted by Ms. M.Hajong, learned counsel on behalf of the respondent No. 1/writ petitioner, has submitted that Rule 28 will not govern the field, and in fact Rule 31 will be very much applicable, inasmuch as, there is a collective responsibility of the entire Executive Committee in hearing such matters.

4. Mr. S.Marpan, learned counsel for the respondents KHADC No. 2 to 5, however, has endorsed the submissions made by learned Sr. counsel, and submits that in the instant case, as the order had been signed by the Chief Executive Member and not a single member, the order would be valid.

5. This Court has heard the learned counsel for the parties and also examined Rule 28. For the sake of convenience, the said Rule is reproduced hereinbelow:



**“Conduct of Executive functions:**

*28. (1) The executive functions of the District Council shall be vested in the Executive Committee.*

*(2) All orders or instruments made or executed by the Executive Committee shall be expressed to be made by or by order of the District Council. Every such order or instrument shall be signed by the Chief Executive Member or any other Members of the Executive Committee authorized in writing by the Chief Executive Member in this behalf and such signature shall be deemed to be the proper authentication of such order or instrument.”*

6. A perusal of the above noted Rule, especially Rule 28 (2), would show that though other members of the Executive Committee would have to be authorized in writing, in the case of the Chief Executive Member, such authorization is not necessary, and he would be competent to sign the order in his own capacity.

7. Further, it is noted that the Act under which the instant case had arisen i.e. Khasi Hills Autonomous District (Administration of Elaka) Act, 1991, has since been amended, wherein section 10 has been added with regard to delegation of powers, and it has been provided therein, that the Executive Committee while hearing matters under the Act, by order or notification, can empower two or more members, to exercise on its behalf, any power or powers conferred upon by the Act. However, as it is submitted that this amendment has come into effect only on 09-10-2024, whereas the impugned



order in question was passed as far back as on 21-12-2023, as such, in the considered view of this Court, the said amendment, though very relevant, will have no application in the instant case .

8. Accordingly, for the reasons stated above, the review application is hereby allowed and the order dated 24-11-2025 shall stand recalled. WP(C) No. 81 of 2024 shall be restored to file, and be listed for further orders.

9. Review application accordingly stands disposed of.

**Judge**