

THE HIGH COURT OF MEGHALAYA AT SHILLONG.

WP(C) No. 74 of 2015

Shri C. Aikom Diengdoh,
Sordar (Suspended), Shnat Raid Tynring,
Khyrim Syiemship,
East Khasi Hills District,
Meghalaya

::::::: **Petitioner**

-Versus-

1. The State of Meghalaya,
Represented by the Secretary, District Council
Affairs Department, Government of Meghalaya,
Shillong
2. The Khasi Hills Autonomous District
Council, Represented by its Secretary
to the Executive Committee,
Shillong, Meghalaya
3. Executive Member, Incharge,
Elaka Administration,
Khasi Hills Autonomous District Council,
Shillong.
4. The Deputy Commissioner,
East Khasi Hills District, Meghalaya,
Shillong.
5. Shri Hamlet Mylliempdah, Myntri,
Khyrim Syiemship,
East Khasi Hills District,
Meghalaya.
6. Shri Henry Bairo,
Son of (L) I Nongbet.
7. Shri SW Shadap,
Son of (L) S Warlarpih.
8. Shri W Nongbet,
Son of (L) S Nongspung.
9. Shri D Kharmalki,
Son of (L) S Myllemngap.
10. Shri Shalbi Syngkli,
Son of (L) P Lyngdoh.
11. Shri Jeffry Wahlang,
Son of (L) B Kharpuri.

12. Shri Shwanbora Khylllep,
Son of (L) K Than.
13. Shri Raphel Rani,
Son of (L) Syiem.
14. Shri Stelin Marbaniang,
Son of (L) L Kharshandi.
15. Shri Arissius Sohtun,
Son of (L) B Kharumnuid.
16. Shri Kmailang Marboh,
Son of (L) J Nongrum.
17. Shri Shining Lating,
Son of (L) S Bairo.
18. Shri Esra Marboh,
Son of (L) K Nongkhlaw.
19. Shri Starlan Kharmalki,
Son of Shri N Bairo.
20. Shri Jonis Warbah,
Son of Shri S Nongspung
21. Shri Flemingstar sohkhet
Son of (L) H Nongbri.
22. Shri Dajied Nongrum
Son of (L) F Syiem.
23. Shri Iajuhlang Mylliempdah,
Son of T Pyngrope.
24. Shri Phorda Mylliempdah,
Son of (L) T Pyngrope.
25. Shri Silian Mylliempdah,
Son of (L) S Marboh.
26. Shri Janda Mylliempdah,
Son of (L) T Pyngrope.
27. Shri Lahbhalang Mylliempdah,
Son of (L) T Pyngrope.
28. Shri Ainguh Mylliempdah,
Son of (L) T Pyngrope.
29. Shri Sliep Marboh
Son of (L) D Pyngrope
30. Shri Soiralin Mylliempdah
Son of (L) T Bairo.

31. Shri Sngewbhalang Swer
Son of Shri L Lawai
32. Shri Philomina Kharumnuid
Son of (L) P Mylliempdah.
33. Shri Aibhalin sohtun
Son of (L) B Kharumnuid
34. Shri Almira Wahlang,
Son of Shri R Thiang.
35. Shri Pynraplang Wahlang,
Son of (L) D Marboh.
36. Shri Kshaingly Wahlang,
Son of (L) D Marboh.
37. Shri Sai Wahlang,
Son of (L) Y Wahlang
38. Shri Wanbor Warjri,
Son of (L) S Kharumnuid.
39. Shri Patrik Mylliempdah
Son of (L) A War Sumer
40. Shri Pynshai Phawa
Son of Shri B Kharlukhi
41. Shri Bhon Kharumnuid
Son of Shri P Shylla
42. Shri Reverend Kharmuti
Son of (L) J Kharkongor
43. Shri Cosman Nongspung
Son of (L) F Kharmuti
44. Shri State Mylliempdah,
Son of (L) D Syiem
45. Shri Pheston Mylliempdah,
Son of (L) D Syiem
46. Shri Wordstar Warjri,
Son of (L) P Kharkongor
47. Shri Bod Kharshong,
Son of (L) B Syiem.
48. Shri Kennedy Syiem,
Son of Shri D Synnah
49. Shri Remingstar Mylliempdah,
Son of D Kharmalki

50. Shri Kynshewlang Marboh
Son of (L) D Kharkongor
51. Shri Pyndaqplang Mylliempdah,
Son of (L) N Kharkongor
52. Shri Ksangboklang Mylliempdah,
Son of Shri D Kharmalki
53. Shri Korbar Marboh,
Son of Shri W Nongbet
54. Shri Sharles Nongkynrih
Son of I Nongrum
55. Shri Sebren Mawlong,
Son of Smti K Mawlong
56. Shri Bedingroy Pyngrope,
Son of (L) T Mylliempdah.
57. Shri Prota Swer,
Son of (L) D Kharpran
58. Shri Elgin Mylliempdah,
Son of (L) T Dkhar.
59. Shri Smarles Kharmalki,
Son of (L) P Kharumnuid.
60. Shri Bering Mylliempdah,
Son of Smti B Mylliempdah.
61. Shri Staep Syiem,
Son of Smti D Syiem.
62. Shri Stanis Duia,
Son of Smti B Duia.
63. Shri D Nongrum,
Son of (L) S Nongspung.
64. Shri Hamarbamut Bairo,
Son of (L) T Nongdhar.
65. Shri Lungdon Mylliempdah,
Son of (L) R Marbaniang.
66. Shri Wanrahbok Kharmuti,
Son of Shri S Syngkli
67. Shri Wanpoisuk Kharmuti,
Son of Shri S Syngkli
68. Shri Wankilan Kharmuti,
Son of Shri S Syngkli

69. Shri Cherry Kharmalki,
Son of Smti J Kharmalki
70. Shri Shopbor Pyngrope,
Son of Shri B Nongspung
71. Shri Pynpawlang Pyngrope,
Son of Shri B Nongspung.
72. Shri Dangbianglang Pyngrope,
Son of Shri B Nongspung.
73. Shri Bonyfast Nongspung,
Son of (L) L Nongspung
74. Shri Rahnam Nongspung,
Son of Shri B Syiem.
75. Shri Sngewlem Nongspung,
Son of Shri B Syiem.
76. Shri Wordington Nongrum,
Son of (L) S Nongspung.
77. Shri Iaibianglang Dkhar,
Son of Shri W Syiem.
78. Shri Balajied Mylliempdah,
Son of Shri B Sun.
79. Shri Liting Mylliempdah,
Son of Shri D Kharmalki
80. Shri Therbor Kharduit,
Son of Shri L Mylliempdah.
81. Shri Baiiasing Kharmalki,
Son of Shri I Marboh.
82. Shri Bishar Swer,
Son of (L) Swor Syiem.
83. Shri Laitlan Kharmuti,
Son of Shri Phelan Mylliem.
84. Shri Bhaboklang Mylliempdah,
Son of Shri D kharmalki.
85. Shri Dmod Kharmnuid,
Son of Shri K Kharumnuid.
86. Shri Iawan Nongkhlaw,
Son of (L) J Mylliempdah.
87. Shri Shanbor Mylliempdah,
Son of (L) M Nongbet

88. Shri Raja Kharmuti,
Son of (L) A Pandey.
89. Shri Damangshwa Wahlang,
Son of Shri H Lyngdoh.
90. Shri Maitshaphrang Wahlang,
Son of Shri H Lyngdoh.
91. Smti Serila Sohtun,
Daughter of Shri P Nongspung
92. Smti Swied Nongspung,
Daughter of Smti K Nongspung
93. Smti Phisdalin Nongspung
Daughter of Smti K Nongspung
94. Smti Bansumar Nongspung
Daughter of Shri K Lating
95. Smti Mebis Kharmnuid
Daughter of (L) I Kharumnuid
96. Smti Twelris Syiem Sutnga
Wife of Shri F Marboh
97. Smti Spielda Kharmuti
Daughter of (L) Dnor Kharmalki.
98. Smti Nodira Marboh
Daughter of (L) J Nongrum.
99. Smti Joyfully Marboh
Daughter of (L) D Kharkongor
100. Smti Damon Nongspung
Daughter of (L) T Nongspung
101. Smti Shantilang Nongrum
Daughter of (L) A Kharmalki
102. Smti Emeralda lating
Daughter of (L) S Bairo
103. Smti Prolinda Nongbri
Daughter of Shri P Mynsong
104. Smti Awra Mylliempdah
Daughter of (L) S Mylliempdah.
105. Smti Makrin Mylliempdah
Daughter of (L) N. Kharumnuid
106. Smti Daplin Kharmalki
Daughter of (L) S. Kharpran

107. Smti Rihunlang Bairo
Daughter of Shri D. Wahlang
108. Smti Bidalis Syiemlieh
Daughter of (L) I. Myrthong
109. Smti Huprida Nongrum
Daughter of (L) D. Syiem
110. Smti Aihunlin Nongspung
Daughter of Shri D. Kharmalki
111. Smti Yobrisha Wahlang
Daughter of Smti S. Wahlang
112. Smti Dria Pyngrope
Daughter of T. Mylliempdah
113. Smti Distina Pyngrope
Daughter of (L) R. Bairo
114. Smti Khamkor Nongrum
Daughter of Smti S. Nongrum
115. Smti Oldatimai Kharkongor
Daughter of Shri K. Lyngshing
116. Smti Amabilis Mylliempdah
Daughter of (L) J. Nongspung
117. Smti Evangelin Wahlang
Daughter of (L) B. Nongkynrih
118. Smti Pdianghun Nongrum
Daughter of Smti S. Nongrum
119. Smti Isabella Mylliempdah
Daughter of (L) J. Nongspung
120. Smti Seribon Nongrum
Daughter of (L) E. Nongrum
121. Smti Sngewbiang Mylliempdah
Daughter of (L) T. Pyngrope
122. Smti Ibanrishisha Nongrum
Daughter of (L) F. Syiem
123. Smti Alsilia Wahlang
Daughter of (L) S. Mylliempdah
124. Smti Juliana Mylliempdah
Daughter of (L) S. Mylliempdah
125. Smti Khamtilang Wahlang
Daughter of (L) D. Pyngrope

126. Smti Daiahun Mylliempdah
Daughter of Shri R. Pyngrope
127. Smti Aida Synnah
Daughter of Smti B. Synnah
128. Smti Suknud Synnah
Daughter of Smti A. Synnah
129. Smti Wislisha Synnah
Daughter of Smti A. Synnah
130. Smti Helina Sohtun
Daughter of (L) B. Kharumnuid
131. Smti Koprisha Synnah
Daughter of Smti A. Synnah
132. Smti Relis Kharmalki
Daughter of Shri T. Mynsong
133. Smti Skolastika Mylliempdah
Daughter of (L) S. Mylliempdah
134. Smti Matilda Mylliempdah
Daughter of (L) S. Mylliempdah
135. Smti Teimary Mylliempdah
Daughter of (L) D. Syiem
136. Smti Lavinia Mylliempdah
Daughter of Shri A. Bareh
137. Smti Jinoris Kharmalki
Daughter of (L) K. Mylliempdah
138. Smti Aidashisha Nongrum
Daughter of Shri R. Kharkongor
139. Smti Melisha Kharmalki
Daughter of Shri I. Marboh
140. Smti Juslinda Nongrum
Daughter of (L) S. Nongspung
141. Smti Holda Nongrum
Daughter of (L) S. Nongspung
142. Smti Tinodra Pyngrope
Daughter of (L) T. Mylliempdah
143. Smti Jwisibon Swer
Daughter of (L) N. Syiem
144. Smti Rijanlang Kharmalki
Daughter of (L) L. Pyngrope

145. Smti Bahunlang Synnah
Daughter of Shri K. Mylliempdah
146. Smti Bahunlang Synnah
Daughter of Shri K. Mylliempdah
147. Smti Aitilut Pyngrope
Daughter of (L) K. Nongspung
148. Smti Ribelda Nongrum
Daughter of (L) S. Nongspung
149. Smti Iaineh Nongrum
Daughter of Shri S. Syiem
150. Smti Sweta Mylliempdah
Daughter of (L) S. Ryntong
151. Smti Aibelda Nongrum
Daughter of (L) S. Nongspung
152. Smti Shintimai Mylliempdah
Daughter of (L) J. Mawrie
153. Smti Shongrimai Nongrum
Daughter of Shri S. Syiem
154. Smti Thrialy Pyngrope
Daughter of (L) T. Mylliempdah
155. Smti Kosta Mylliempdah
Daughter of (L) S. Ryntong
156. Smti Lity Shangdiar
Daughter of (L) J. Wanniang
157. Smti Elinda Mawthoh
Daughter of (L) K. Kharbihkhiew
158. Smti Aijinghun Mawthoh
Daughter of (L) H. Langstieh
159. Smti Ibahunlang Mawthoh
Daughter of (L) H. Langstieh
160. Smti Iahunlang Mylliempdah
Daughter of Smti S. Mylliempdah
161. Smti Iadeitilang Pyngrope
Daughter of Shri W. Shadap
162. Smti Aibrisdora Pyngrope
Daughter of Shri W. Shadap
163. Smti Synroplang Pyngrope
Daughter of Smti A. Pyngrope

164. Smti Twin Pyngrope
Daughter of (L) T. Mylliempdah
165. Smti Erbatemon Nongrum
Daughter of Shri R. Kharkongor
167. Smti Ailangsibon Pyngrope
Daughter of Shri D. Kharumnuid
168. Smti Maltina Pyngrope
Daughter of Shri D. Kharumnuid
169. Smti RislinPyngrope
Daughter of Shri D. Kharumnuid
170. Smti PynbhaPyngrope
Daughter of Shri D. Kharumnuid
171. Smti Daryngkat Pyngrope
Daughter of Shri D. Kharumnuid
172. Smti Pynjanai Nongrum
Daughter of Shri S. Syiem
173. Smti Streamlet Mylliempdah
Daughter of (L) N. Kharkongor
174. Smti Elsinora Pyngrope
Daughter of (L) N. Kharkongor
175. Smti Adalin Bairo
Daughter of (L) K. Bairo
176. Smti Reviewlet Bairo
Daughter of (L) T. Nongdhar
177. Smti Baioda Bairo
Daughter of Shri P. Swer
178. Smti Baiahunlang Wahlang
Daughter of Shri R. Thiang
179. Smti Kranti Nongspung
Daughter of (L) L. Nongspung
180. Smti Youcratis Nongspung
Daughter of (L) J. Mylliempdah
181. Smti Spailin Nongrum
Daughter of (L) P. Nongrum
182. Smti Makrisha Nongrum
Daughter of Shri P. Kharshang
183. Smti Saralin Nongrum
Daughter of S. Nongrum

184. Smti Newsela Kharkong
Daughter of (L) E. Kharshong
185. Smti Wanbiangpor Kharmuti
Daughter of Shri S. Syngkli
186. Smti Triple Kharmuti
Daughter of Shri S. Kharmuti
187. Smti Hamlisynta Kharmuti
Daughter of Shri S. Kharmuti
188. Smti Risuklang Myrboh
Daughter of (L) D. Kharkongor
189. Smti Armilian Pyngrope
Daughter of (L) Kwet Kharumnuid
190. Smti Arburom Pyngrope
Daughter of B. Nongspung
191. Smti Haeisha Pyngrope
Daughter of Shri B. Syiem
192. Smti Nangmanbha Pyngrope
Daughter of T. Nongrum
193. Smti Budlang Pyngrope
Daughter of T. Nongrum
194. Smti Temple Pyngrope
Daughter of T. Nongrum
195. Smti Melsha Kharmalki
Daughter of Shri I. Marboh
196. Smti Calatia Swer
Daughter of (L) Swer Syiem
197. Smti Rosila Swer
Daughter of (L) Norosing Syiem
198. Smti Aieikyrhai
Daughter of (L) Julius Mylliempdah
199. Smti Iaiaplang Mylliempdah
Daughter of (L) Gracious Suting
200. Smti Balakynmaw Mylliempdah
Daughter of (L) Gracious Suting
201. Smti Skela Kharduit
Daughter of (L) Jro Mylliempdah
202. Smti Aiusha Kharmuti
Daughter of Shri Phelan Mylliem

203. Smti Smielda Kharmuti
Daughter of (L) D. Kharmalki
204. Smti Synthesis Kharmuti
Daughter of (L) L. Lartang
205. Smti Rijanai Marboh
Daughter of (L) J. Nongrum
206. Smti lasuklang Marboh
Daughter of (L) B. Nongrum
207. Smti Maltina Pyngrope
Daughter of Dor Kharumnuid
208. Smti Heavywell Lyngdoh
Daughter of Shri O. Warbah
209. Smti Ailiangsibon Pyngrope
Daughter of Shri D. Kharumnuid
210. Smti lengbhalang Wahlang
Daughter of Smti Op. Wahlang
211. Smti Sanda Wahlang
Daughter of Shri Dmod Kharumnuid
212. Smti Kita Kharmuti
Daughter of (L) Ashoke Pandey
213. Smti Asha Kharmuti
Daughter of (L) Ashoke Pandey
214. Smti Labalin Nongbet
Daughter of (L) Swon Pandey
215. Smti Unity Shangdiar
Daughter of (L) Warning Jyrwa
216. Smti P. Kharmuti
Daughter of (L) Dron Kharmalki
217. Smti Theodora Nongbet
Daughter of Shri I. Marboh
218. Smti Apmonlida Nongspung
Daughter of Shri D. Kharmalki
219. Smti Jwis Swe
Daughter of (L) N. Syiem
220. Smti Precious Mylliempdah
Daughter of D. Kharmalki
221. Smti Silin Mylliem
Daughter of Smti T. Marbaniang

222. Smti Sngewsuk Mylliempdah
Daughter of (L) T. Pyngrope
223. Smti Iaimonlang Mylliempdah
Daughter of (L) T. Pyngrope
224. Smti Atiarba Pyngrope
Daughter of (L) R. Bairo
225. Smti Donmon Kharmalki
Daughter of Shri H. Bairo
226. Smti Sansynoris Wahlang
Daughter of Shri D. Khyriem

(All residents of Tynring Village,
Khyrim Syiemship, East Khasi Hills
District, Meghalaya.)

..... Respondents

**BEFORE
THE HON'BLE MR. JUSTICE T. NANDAKUMAR
SINGH**

For the Petitioner	:	Mr. M.Z. Ahmed, Sr. Adv & Mr. A.M. Dutta, Adv.
For the Respondents	:	Mr. S. Sen Gupta, GA, Ms. P.S. Nongbri & Mr. P. Nongbri, Adv.
Date of hearing	:	23.09.2015
Date of Judgment & Order	:	23.09.2015

JUDGMENT AND ORDER (ORAL)

Heard Mr. M.Z. Ahmed, learned Sr. counsel assisted by Mr. A.M. Dutta, learned counsel appearing for the petitioner as well as Ms. P.S. Nongbri, learned counsel appearing for the respondents No. 2 and 3, Mr. S. Sen Gupta, learned GA appearing for the respondents No. 1 and 4 and Mr. P. Nongbri, learned counsel appearing for the respondents No. 6-226.

2. The main prayer sought for in the present writ petition is for quashing the impugned suspension order dated 16.03.2015 passed by the

respondent No. 2 i.e. The Secretary to the Executive Committee, Khasi Hills Autonomous District Council, Shillong. For easy reference the translated copy of the impugned suspension order dated 16.03.2015 annexed as Annexure-10 of the writ petition is quoted herein as under:

**“OFFICE OF THE EXECUTIVE COMMITTEE
KHASI HILLS AUTONOMOUS DISTRICT COUNCIL,
SHILLONG.**

No. DC.XXVII/Genl/80/2003-15/99 Dt. Shillong, the 16th March, 2015

**NOTIFICATION
(JINGPYNBNA)**

By this Notification, it is hereby notified in the entire Hima Khyrim, that the Executive Committee, Khasi Hills Autonomous District Council, in the mean time has suspended (Suspension pending Enquiry) Shri. C.A. Diengdoh from his Sordarship of Shnat Raid Tynring as per the provision embodied in Section 9(3) of the “United Khasi-Jaintia Hills Autonomous District (Appointment of Chief and Headmen) Act, 1959” as notified up to now. Therefore, Shri Hamlet Mylliempdah, Myntri Hima Khyrim to take over charge temporarily the management and administration of Shnat Raid Tynring, Hima Khyrim together with some of the elders of Shnat Raid Tynring, and the confirmation of which will be done by this office.

This Order, shall take effect, from today, and shall be in operation till further Order.

*By the Order, etc.,
Sd/-
Secretary to the Executive Committee,
Khasi Hills Autonomous District Council,
Shillong”.*

3. An interim order dated 20.04.2015 was passed in the present writ petition, that there shall not be any order for confirmation of the impugned suspension order dated 16.03.2015.

4. It is the submission of the learned counsels appearing for the parties that the enquiry proceeding against the present writ petitioner is still continuing.

5. Mr. M.Z. Ahmed, learned Sr. counsel appearing for the petitioner submits that the complainants who filed the complaints against the present writ petitioner did not appear before the enquiry authority inspite of serving the notice to them. Mr. M.Z. Ahmed, learned Sr. counsel further contended that the enquiry proceeding against the petitioner should be completed as expeditiously as possible.

6. Ms. P.S. Nongbri, learned counsel appearing for the respondents No. 2 and 3 also fairly submits that the enquiry proceeding against the petitioner will be completed as soon as possible if there be cooperation from the side of the complainants and the present writ petitioner.

7. In the above factual backdrop, this writ petition is disposed of by directing the complainants to appear before the enquiry authority as and when necessary. It is also further directed that the petitioner shall also cooperate with the enquiry authority in conducting the enquiry. It is made clear that the whole exercise should be within a period of 3(three) months from the date of receipt of the certified copy of this judgment and order.

8. Writ petition stands disposed of with the above directions.

JUDGE

D. Nary