

CRP. No. 38 of 2018

Date of Order: 21.12.2018

Shri.Wantei Kupa Swett Vs. Shri.John Stelin Youroin & Ors.

Coram: Hon'ble Mr. Justice S.R.Sen, Judge

For the Petitioner/Appellant(s) : Mr. K.Paul, Adv.
Mr. J.M.Thangkhiew, Adv.

For the Respondent(s) : Mr. P.Nongbri, Adv. for R 1-14.
Mr. B.M.R.Dolloi, Adv. for
Proforma Respondents.

Heard Mr. K.Paul as well as Mr. J.M.Thangkhiew, learned counsels on behalf of the petitioner. Also heard Mr. P.Nongbri, learned counsel for the respondents No. 1-14 and Mr. B.M.R.Dolloi, learned counsel on behalf of the proforma respondents.

Learned counsel for the petitioner submits that in violation of the order dated 19-09-2018 passed by the High Court in CRP. No. 16 of 2018, the respondents filed another Misc. case bearing MCA. No. 7 of 2018 and obtained the order dated 10-12-2018. Therefore, learned counsel for the petitioner submits that it is a total violation of the High Court's order.

I have perused the order before me and also heard learned counsel for the respondents, Mr. P.Nongbri who submits that the matter was urgent that is why the respondents were compelled to file the Misc. case. He also submits that as per that order, dorbar was held.

After hearing the submissions advanced by the learned counsels for the parties, I cannot understand when the matter is pending in the appellate

side of the District Council Court, Shillong what made the District Council Court, Shillong to entertain the Misc.case and to pass the order. I also cannot understand that inspite of the direction given by the High Court to dispose the matter expeditiously, why the District Council Court, Shillong remained silent which amount to contempt of court.

Accordingly, the impugned order dated 10-12-2018 passed in MCA. No. 7 of 2018 is hereby set aside and direct the Judge, District Council Court, Shillong to comply with the order dated 19-09-2018 passed in CRP. No. 16 of 2018. I further caution the learned Judge, District Council Court, Shillong not to repeat the same in the near future in any case.

Accordingly, matter stands disposed of.

Both Caveat as well as the Misc. case also stands disposed of.

Meghalaya
21.12.2018
"S.Rynjah PS"



(S.R.Sen)
JUDGE