

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

WP (C) No.199/2020

Date of Order: 19.08.2020

Merihasina Dhar Vs. Meghalaya Rural Bank & ors

**Coram:**

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

**Appearance:**

For the Petitioner/Appellant(s) : Mr. S. Sen, Adv  
For the Respondent(s) : Mr. H.R. Nath, Adv

i) Whether approved for reporting in Law journals etc.: No

ii) Whether approved for publication in press: No

**Court:-**

This writ petition was moved before this Court as an extremely urgent matter since the competent forum, i.e., Debts Recovery Tribunal at Guwahati was closed at that material point of time due to the COVID-19 situation prevailing at Guwahati.

Initially, when we took up the matter, we had directed the learned advocate representing the writ petitioner to give notice to the respondents who had been made party to the proceeding. We had kept the matter returnable on 14.08.2020 but due to some unforeseen situation we could not take up the matter on that day. In the meanwhile, an affidavit of service has been filed.

Today, we are informed by the learned advocate representing the writ petitioner that the writ petitioner, in the meanwhile, has filed an

application before the Debts Recovery Tribunal at Guwahati and the matter is likely to be listed soon.

Since we are satisfied with regard to the urgency of the matter – while refraining from exercising our extraordinary high prerogative jurisdiction under Article 226 of the Constitution of India, which is essentially discretionary in nature – we request the learned Tribunal to take up the matter and dispose of the same as expeditiously as possible.

With the above observations, the instant writ petition stands dismissed as withdrawn in view of the writ petitioner approaching the competent forum, i.e., Debts Recovery Tribunal at Guwahati.

All connected applications stand disposed of accordingly.

**(H.S. Thangkhiew)**  
**Judge**

**(Biswanath Somadder)**  
**Chief Justice**

Meghalaya  
19.08.2020  
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