

Serial No. 01
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

CRP No.29 of 2025

Date of Order: 09.12.2025

Smti. Philamon Mawrie

Vs

Laitumkhrah Dorbar Shnong

Coram:

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. V.G.K. Kynta, Sr.Adv with
Mr. H. Wanshong, Adv

For the Respondent(s) : Mr. C.C.T. Sangma, Adv

Heard Mr. V.G.K. Kynta, learned Senior counsel assisted by Mr. H. Wanshong, learned counsel appearing for the petitioner.

Mr. C.C.T. Sangma, learned counsel appears for all the respondents and hence, no formal notice is called for.

There is an interim prayer for stay of the impugned order dated 14.11.2025 passed in CRP No.1 of 2024 by the learned Judge, District Council Court, Khasi Hills, Shillong. By the impugned order dated 14.11.2025, the learned Judge, District Council Court has interfered with the order dated 09.11.2023 passed in an application under Order 39 Rule 1 and 2 read with Section 151 CPC in Misc.Case No.77 of 2023 arising out of TS No.30 of 2023 by the Presiding Officer, Subordinate District Council Court, Shillong, by assuming its revisional jurisdiction under section 32(2) of the Khasi Hills Administration of Justice Rules, 1953.

The learned Senior counsel appearing for the petitioner submits that the learned Judge, District Council Court, has resorted to improper exercise of jurisdiction by entertaining CRP No.1 of 2024 despite the fact

that the remedy of filing an appeal against the order of injunction of the trial court was available to the respondents. It is further submitted that Rule 31(2) of the Khasi Hills Administration of Justice Rules, 1953, does not empower or authorise the Judge, District Council Court to exercise revisional jurisdiction in a civil matter. The learned senior counsel also submits that the matter was argued only on the question of maintainability of CRP No.1 of 2024, however, the learned Judge travelled beyond and passed the impugned order dated 14.11.2025 on the basis of the merits of the entire case causing serious prejudice to the petitioner. He, therefore, submits that the impugned order is not sustainable in the eye of law and requires immediate interference by this Court.

Mr. C.C.T. Sangma, learned counsel appearing for the respondents, on the other hand, supports the impugned order and submits that the entire fact and situation of the case have to be taken into consideration for proper appreciation of the matter in hand.

Since the question of jurisdiction is raised in this revision petition and the submissions made by the learned Senior counsel coupled with perusal of materials on record, *prima facie*, projects a case of improper exercise of jurisdiction by the Judge, District Council Court, it is deemed appropriate at this stage, to stay the operation of the impugned order dated 14.11.2025 until further order.

As agreed by the parties, list this matter for hearing after vacation.

Judge

Meghalaya
09.12.2025
"Shrity.PS"