
(2025) 11 MEG CK 0002

Meghalaya HC

Case No: Revision Petition No. 11 Of 2025

Mamota G. Sangma & 2 Ors

APPELLANT

Vs

Kukila Marak

RESPONDENT

Date of Decision: Nov. 25, 2025

Acts Referred:

- Garo Hills Autonomous District (Administration Of Justice) Rules, 1953 - Rule 30
- Constitution Of India, 1950 - Article 227

Hon'ble Judges: B. Bhattacharjee, J

Bench: Single Bench

Advocate: P.R. Paske, R. Pahsyntiew, A.G. Momin, L.D. Sangma

Judgement

B. Bhattacharjee, J

Heard Mr. P.R. Paske, learned counsel appearing for the petitioners and also Mr. A.G. Momin, learned counsel appearing for the respondent.

The challenge made in this revision petition is against the order dated 25.04.2024 passed by the learned Assistant Judge, District Council Court, Garo Hills Autonomous District Council (GHADC) Tura, in Title Suit No.1 of 2012. The revision petition has been preferred by invoking Order 6 of the Meghalaya High Court (Jurisdiction over District Council Courts) Order 2014, read with Article 227 of the Constitution of India.

Mr. A.G. Momin, learned counsel for the respondent has questioned the maintainability of the revision petition on the ground that the impugned order is appealable under provisions of Rule 30 of the Garo Hills Autonomous District (Administration of Justice) Rules, 1953 and hence, no revision would lie in the matter. However, the submission has been countered by Mr. P.R. Paske, learned counsel for the petitioners by contending that an appeal under Rule 30 of the aforesaid Rules would have been maintainable had there been an order passed by either the Subordinate District Council Court or the Additional Subordinate District Council Court. The order which has been impugned in this petition is passed by the Assistant Judge, District Council Court and as

such, no appeal is maintainable under Rule 30 of the above Rules.

A perusal of the Garo Hills Autonomous District (Administration of Justice) Rules, 1953 reveals that the courts constituted under the Rules are broadly categorized as (i) Village Courts, (ii) Subordinate District Council Courts and (iii) District Council Court. However, the rule does not specify as to whether the Court of the Assistant Judge, District Council Court is to be treated as a District Council Court or a Subordinate District Council Court. None of the learned counsels appearing for the parties are in a position to clarify this aspect of the matter.

In the above situation, it would be appropriate to seek the assistance of the learned standing counsel of the Garo Hills Autonomous District Council (GHADC). The learned counsel appearing for the petitioner shall take necessary steps to inform the standing counsel for the GHADC about this matter and request him to be present before this Court when this matter is taken up on the next date.

As prayed for, list after 2 (two) weeks.