

**BEFORE**  
**HON'BLE MR. JUSTICE S.R. SEN**  
**CRP(SH) No. 33 of 2013**

**19.06.13**

Heard Mr. K Paul, the learned counsel for the petitioner as well as Mr. TT Diengdoh, the learned counsel for respondent.

Issue notice to the respondents.

However, the petitioner's counsel to take necessary steps to serve notice upon the respondents within 3(three) days.

Notice is made returnable within 2(two) weeks.

In the meantime, call for Lower Court case record No. Misc. Civil Appeal No. 5 of 2013.

Mr. ND Chullai, the learned counsel for respondent No. 1 & 2 is present.

List this matter on 3.07.13.

JUDGE

V. Lyndem.

**BEFORE**  
**HON'BLE MR. JUSTICE S.R. SEN**  
**CAVEAT (SH) No. 92 of 2013**

**19.06.13**

In the light of the order passed in the Main Case No. CRP(SH) No. 33 of 2013, this instant Caveat is discharged and stands disposed of.

JUDGE

V. Lyndem.

**BEFORE**  
**HON'BLE MR. JUSTICE S.R. SEN**  
**CRP(SH) No. 34 of 2013**

**19.06.13**

Heard Mr. VGK Kynta, the learned counsel for the petitioner.

Issue notice to the respondent.

Notice is made returnable within 2(two) weeks.

Since Mr. HS Thangkhiew, the learned senior counsel is present and accepted notice, no formal notice is called for.

In the meantime, the impugned judgment dated 3.06.13 shall remain stayed until further orders.

List this matter on 3.07.13.

JUDGE

V. Lyndem.

**BEFORE**  
**HON'BLE MR. JUSTICE S.R. SEN**  
**CAVEAT (SH) No. 71 of 2013**

**19.06.13**

In the light of the order passed in the Main Case No. CRP (SH) No. 34 of 2013, this instant Caveat also stands disposed of.

JUDGE

V. Lyndem.

**BEFORE**  
**HON'BLE MR. JUSTICE S.R. SEN**  
**MC (SH) No. 199 of 2013 in**  
**CRP(SH) No. 34 of 2013**

**19.06.13**

In the light of the order passed in the Main Case No. CRP (SH) No. 34 of 2013, this instant Misc. Case also stands disposed of.

JUDGE

V. Lyndem.

**BEFORE**  
**HON'BLE MR. JUSTICE S.R. SEN**  
**Crl. Revn.(SH) No. 39 of 2013**

**19.06.13**

Heard Mr. S Alim, the learned counsel for the respondent.

It has been informed that Mr. AH Hazarika, the learned counsel for the petitioner is on leave.

Since the learned counsel for the petitioner is on leave, list this matter on 12.07.13.

JUDGE

V. Lyndem.

**BEFORE**  
**HON'BLE MR. JUSTICE S.R. SEN**  
**WP(C)(SH) No. 425 of 2010**

**19.06.13**

Heard Mr. Mazumdar, the learned counsel for the petitioner who submits that vide Patta No. 9 dated 11.09.1992 a plot of land was allotted in favour of the petitioner. Subsequently MTC claimed over the land, so the matter was placed before the Executive Committee, Jaintia Hills Autonomous District Council (JHADC), Jowai.

The Executive Committee after hearing both the parties came to a conclusion that the matter need to be decided by the Civil Court and cancelled the Patta No. 9 dated 11.09.1992.

The learned counsel further contended that the respondent MTC could not produce any document to substantiate their claim over the land in question.

On the other hand, Mr. ND Chullai, the learned counsel for respondent No. 2 submits that the land belongs to MTC which was initially acquired for the Assam State Transport Corporation (ASTC) and subsequently inherited by the MTC after creation of the state of Meghalaya.

Also heard Mr. HS Thangkhiew, the learned senior counsel appearing for respondents No. 1 & 4.

After hearing the submissions advanced by the learned counsels and after going through the record before me, I am of the considered view that, the instant claim and counter-claim cannot be decided by this Court without any evidence. Therefore, I feel that it is a fit case; the parties should approach the Civil Court to decide their right and title. Till disposal by the Civil Court, the petitioner should not be disturbed or interfered with their possession.

With these observations and directions, the instant petition is allowed to that extent and stands disposed of.

JUDGE

V. Lyndem.

**BEFORE  
HON'BLE MR. JUSTICE S.R. SEN  
WP(C)(SH) No. 323 of 2011**

**19.06.13**

List this matter on 24.06.13 as suggested by the learned counsel for the parties.

JUDGE

V. Lyndem.



**BEFORE**  
**HON'BLE MR. JUSTICE S.R. SEN**  
**Crl.Petn.(SH) No. 24 of 2013**

**19.06.13**

List this matter on 3.07.13

JUDGE

V. Lyndem.

**BEFORE  
HON'BLE MR. JUSTICE S.R. SEN  
WP(C)(SH) No. 164 of 2013**

**19.06.13**

Heard Mr. DK Das, the senior learned counsel assisted by Mr. MG Singh, the learned counsel for the petitioner.

Also heard Mr. R Debnath, the learned CGC who prayed for 3(three) weeks' time.

Prayer is allowed.

List this matter on 23.07.13.

JUDGE

V. Lyndem.

**BEFORE  
HON'BLE MR. JUSTICE S.R. SEN  
WP(C)(SH) No. 165 of 2013**

**19.06.13**

Heard Mr. DK Das, the senior learned counsel assisted by Mr. MG Singh, the learned counsel for the petitioner.

Also heard Mr. R Debnath, the learned CGC who prayed for 3(three) weeks' time.

Prayer is allowed.

List this matter on 23.07.13.

JUDGE

V. Lyndem.

**BEFORE**  
**HON'BLE MR. JUSTICE S.R. SEN**  
**Crl. Rev.P.(SH) No. 67 of 2012**  
**Crl. Rev.P.(SH) No. 68 of 2012**  
**Crl. Rev.P.(SH) No. 69 of 2012**

**19.06.13**

The brief facts of the case is that, application has been moved under Section 482 CrPC for quashing of criminal proceeding bearing Case No. (S) 07/2012 pending before the Addl. District Sessions Judge, Fast Track Court, Shillong.

The contention of the parties was that, they have settled the matter amicably between them, as such; they are not interested to proceed further with the case, so moved the petition before the Court below.

However, the Court below passed an order stating that offences charged are non-compoundable i.e. under Section 498(A)/307/506/34 IPC. During pendency of the petition, affidavit has been filed by respondent No. 2 Mrs. Roshni Sachdeva which is on record through her counsel Mr. JA Dkhar.

Affidavit filed by respondent No. 2 categorically states that, the respondent wilfully and voluntarily filed an application for withdrawal of the case as she and the petitioner are leaving peacefully.

Mr. K Paul, the learned counsel for the petitioner, Mr. R Gurung, the learned Addl. PP and Mr. JA Dkhar, the learned counsel for respondent No. 2 are present.

Both the parties are also present. On inquiry they have categorically stated before this Court that, they have settled their disputes amicably and they are leaving happily and peacefully and they are not interested to proceed further with the case.

Section 482 CrPC has been incorporated to prevent abuse process of law. In this instant case, since the parties have settled their disputes amicably and are leaving peacefully, I do not see any reason for the Court to interfere further rather if we allow the matter to proceed further; it will definitely jeopardise the matrimonial relationship between the parties. Hence, by invoking the power under Section 482 CrPC, I hereby quash the criminal proceeding bearing Case No. (S) 07/2012 pending before the Addl. District Sessions

Judge, Fast Track Court, Shillong and the matter stands disposed of.

Registry is directed to roll back the Lower Court case record along with a copy of this order the concerned Court.

With these observations and directions, the matter stands disposed of.

JUDGE

V. Lyndem.

**BEFORE**  
**HON'BLE MR. JUSTICE S.R. SEN**  
**Crl. MC (SH) No. 60 of 2012 in**  
**Crl. Rev.P.(SH) No. 67 of 2012**  
**Crl. MC(SH) No. 61 of 2012 in**  
**Crl. Rev.P.(SH) No. 68 of 2012**  
**Crl. MC (SH) No. 62 of 2012 in**  
**Crl. Rev.P.(SH) No. 69 of 2012**

**19.06.13**

In the light of the order passed in Main Cases No. Crl. Rev.P.(SH) No. 67 of 2012, Crl. Rev.P.(SH) No. 68 of 2012 and Crl. Rev.P.(SH) No. 69 of 2012, all these Misc. Cases also stand disposed of.

JUDGE

V. Lyndem.