

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 78 of 2018

Date of Order: 13.09.2023

Shri Edit Sangma Vs. State of Meghalaya & 2 Ors.

Coram:

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. P.K. Borah, Adv.
For the Respondent(s) : Mr. H. Kharmih, Addl. Sr. GA and
Mr. S. Sengupta, Addl. Sr. GA.

Heard Mr. P.K. Borah, learned counsel for the petitioner who submits that the petitioner filed this writ petition in the year 2018, in the capacity of the Secretary of the Village Employment Council of Chirakata village, Mawsynram, West Khasi Hills District by contending that the Village Employment Council comprises of 104 (one hundred and four) Job Card Holders. The writ petition does not disclose the name of any of the Job Card Holders except the petitioner though a prayer has been made on behalf of all the Job Card Holders.

It has been submitted by the learned State counsel that the petitioner ceased to be the Secretary of the Village Employment Council, Chirakata village, w.e.f. 27.03.2021. He further submits that the Village Employment Council consists of more than 300 (three hundred) Job Card Holders as members. Since the petitioner is no more the Secretary of the village, he cannot represent the members of the Village Employment Council, more so when all the members of the Village Employment Council do not have similar grievance to be redressed by this Court.

A careful perusal of the writ petition makes it clear that no detail of the said 104(one hundred and four) Village Employment Council members have been mentioned. There exists no authorization by any of the Village Employment Council member authorizing the writ petitioner to file this petition on their behalf. It is submitted by the learned counsel for the petitioner that the petitioner personally does not have any grievance to be redress by this Court. It appears from the record that pursuant to the order dated 26.10.2022; the petitioner has filed an affidavit to bring on record the signatures of all the 104 (one hundred and four) Job Card Holders approving the petitioner to pursue the matter. However, the said affidavit does not disclose the names and details of any of the Job Card Holders.

Rule 1, chapter 3 of the Rules of the High Court of Meghalaya, 2013 stipulates that more than one individual can jointly file a single writ petition on each of them paying court fee payable on such application. In the present matter, the record does not reveal that court fee has been paid on behalf of all the 104(one hundred and four) Job Card Holders when this writ petition was filed.

Since the Job Card Holders, those who are to be benefited from the outcome of this matter, has not been named and the petitioner himself does not have any personal grievance to be redressed by the Court, more so, when the matter is not filed in the form of a PIL, the petitioner does not have any locus standi to pursue the present matter. In absence of payment of proper court fee, this petition is also not maintainable.

Accordingly, this writ petition stands dismissed.

Judge

Meghalaya

13.09.2023

"N.Swer, Stenographer, Gr-II"