

**Serial No.06****Regular List**

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 108 of 2024Date of Order : 30.07.2024

Shri. Sengseng M. Sangma,
S/o Dijan Marak,
R/o Balsrigittim
PO & PS Williamnagar,
East Garo Hills District, Meghalaya.

...Petitioner

-Versus-

1. State of Meghalaya represented by the
Commissioner & Secretary, PHE Department,
Govt. of Meghalaya, Shillong,
East Khasi Hills.
2. The Chief Engineer, PHE Department,
Govt. of Meghalaya, Shillong East Khasi Hills.
3. Executive Engineer (P.H.E.) Simsangiri Division
East Garo Hills District Meghalaya.

...Respondents.

Coram:

Hon'ble Mr. Justice H.S.Thangkhiew, Judge

Appearance:

For the Petitioner/Applicant(s) : Mr. P.T.Sangma, Adv.

For the Respondent(s) : Ms. I.Lyngwa, GA.



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| i) | Whether approved for reporting in Law journals etc: | Yes/No |
| ii) | Whether approved for publication in press:_ | Yes/No |
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JUDGMENT AND ORDER (ORAL)

1. The writ petitioner is before this Court in this second round of litigation with a prayer that directions be issued for regularization of the services of the writ petitioner in terms of the earlier proceedings.

2. In the earlier proceedings before this Court namely, WP(C). No. 257 of 2021, an Office Memorandum dated 30-08-2017, had been placed by the learned Sr. GA which stated that private land owners who had donated land for government projects were to hand over the same through a registered deed, to enable the Government to provide employment to any persons, as recommended, in Grade – III or Grade – IV posts. In terms of the said instructions, WP(C). No. 257 of 2021 was then disposed of directing the petitioner to complete the required formalities as provided therein.

3. Mr. P.T.Sangma, learned counsel for the petitioner today submits that as per the directions issued by this Court, a registered Gift Deed for the said land was executed in favour of the State respondents, who was represented by the Sub-Divisional Officer, Public Health Engineering,



Simsangiri Division, East Garo Hills. He further submits that though the Gift Deed was executed on 15-09-2022, the respondents are yet to regularize the services of the writ petitioner who is the grandson of the Nokma, who is still working temporarily till date. He therefore, prays that orders be passed to direct the State respondents to regularize the services of the petitioner as per the said Office Memorandum within a limited time frame.

4. Ms. I.Lyngwa, learned GA appearing for the State respondents submits that in terms of the Office Memorandum and in view of the fact that the Gift Deed has been made in favour of the respondents, a proposal for creation of post had already been forwarded to the Personnel & A.R.(B) Department, Govt. of Meghalaya, the last being vide letter No. PHE. 178/2021/2, dated 24-04-2024, but that the respondent No. 3 is yet to receive any sanction.

5. Upon hearing the learned counsel for the parties and on examination of the materials on records, it seems that though the formalities have been completed, but the delay has occurred due to the process that is taken for creation of a post and receipt of approval thereof.

6. Accordingly, it is directed that the entire process for regularisation of the writ petitioner be completed within a period of six months from the date a copy of this order is submitted before the respondents.



7. With the above direction, writ petition stands closed and disposed of.

Judge