

Serial No. 01
Supplementary List-1

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 172 of 2024

Date of Decision: 29.05.2024

1. Samina Khatun,
Aged about 51 years
D/o Nurul Azim
R/o H. No. 82, Sakmal, Vill-Sakmal,
West Garo Hills District-794104.

.... Petitioner(s)

- Versus -

1. State of Meghalaya,
Represented by the Commissioner &
Secretary, Community & Rural
Development Department, Government of
Meghalaya, Shillong.
2. The Mission Director, State Rural
Employment Society (SRES) Shillong,
Meghalaya
3. The Deputy Commissioner & District
Programme Coordinator (MGNREGS)
West Garo Hills District, Meghalaya
4. Block Development Officer, (BDO) &
Programme Officer (MGNREGS),
Selsella C&RD Block, West Garo Hills,
Meghalaya.
5. Smti Rashida Begum,
W/o Monsar Ali,
R/o Sakmal Village,
P.S. Rajabala, West Garo Hills District,
Meghalaya
6. Monsar Ali,
Ex-Secretary of Sakmal Village
Employment Council (VEC)
S/o Amial Hoque
R/o Sakmal Village
P.S. Rajabala, West Garo Hills District,
Meghalaya.

.... Respondent(s)

Coram:

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

Appearance:

For the Petitioner(s) : Mr. H.L. Shangreiso, Sr. Adv. with
Ms. P. Biswakarma, Adv.
Ms. E. Wanniang, Adv.

For the Respondent(s) : Ms. R. Colney, 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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(ORAL)

1. The instant writ petition has been filed seeking deferment of the elections of the Sakmal VEC, which is scheduled to be held on 30.05.2024 at 11:00 A.M.
2. The complaint of the writ petitioner is that certain job card holders, whose names have appeared in the database are bogus and the other job card holders are not in possession of the original Job Cards to enable them to cast their votes as per the directions contained in the order dated 21.05.2024, issued by the respondent No. 4.
3. Mr. H.L. Shangreiso, learned Senior counsel assisted by Ms. P. Biswakarma, learned counsel for the petitioner submits that in

order to ensure free and fair elections, the list of the job card holders should be limited to the names that have been arrived at, on a verification conducted on 17.05.2024. He therefore, prays that until a verified list is published, the elections should be kept in abeyance.

4. Ms. R. Colney, learned GA at the outset has raised objections with regard to the locus of the writ petitioner in preferring the instant writ petition. She submits that it has not revealed or stated in the writ petition whether the writ petitioner is a job card holder before the said VEC, or whether she is an aspiring candidate for the said elections. She further submits that as the election is being carried out pursuant to the order of this Court, no interference is called for at this stage.

5. Heard learned counsel for the parties and perused the materials as placed.

6. It is noted that this Court by order dated 07.05.2024 passed in WP(C) No. 38 of 2024 had directed the respondents Nos. 3 & 4 to conduct the elections of the Sakmal VEC, within a period of 6(six) weeks from the date of the order. It is further seen that the respondents Nos. 3 & 4, thereafter have issued orders on 14.05.2024 for verification to root out the dead/dual/multiple/bogus/shifted job

card holders under Sakmal VEC, and as submitted the said exercise was completed on 17.05.2024.

7. As the elections are due to be held tomorrow itself and as the verification process has been completed, it is expected that the elections be conducted in a free and fair manner as per the verified list, and in accordance with law.

8. The writ petition is therefore not entertained and the same is dismissed.

JUDGE

Meghalaya
29.05.2024
"V. Lyndem-PS"