

**Serial No.28****Regular List**

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 328 of 2023Date of Order : 27.08.2024

Shri. Suk Bahadur Gurung

...Petitioner

-Versus-

1. State of Meghalaya represented by its Secretary Ministry of Home (Civil Defence) Department, Govt. of Meghalaya, Shillong.
2. The Under Secretary to the Govt. of Meghalaya, Home (Civil Defence) Department, Shillong.
3. Director of Civil Defence & Commandant General of Home Guards, Meghalaya, Shillong.
4. Joint Director of Civil Defence & Joint Commandant General of Home Guards, Meghalaya, Shillong.
5. Commander, Border Wing Home Guards Bn. Meghalaya, Shillong.
6. District Commandant, Home Guards, East Khasi Hills, Shillong.
7. Office of the Pr. Accountant General (Audit), Shillong.

...Respondents

Coram:**Hon'ble Mr. Justice H.S.Thangkhiew, Chief Justice (Acting)**



Appearance:

For the Petitioner/Applicant(s) : Mr. R.Gurung, Adv.

For the Respondent(s) : Ms. I.Lyngwa, GA for R 1-6.
Ms. E.B.Passah, Adv. for R 7.

i)	Whether approved for reporting in Law journals etc:	Yes/No
ii)	Whether approved for publication in press: _	Yes/No

JUDGMENT AND ORDER (ORAL)

1. The writ petitioner who was serving in the office of the Commander, Border Wing, Home Guards Battalion, Meghalaya, is before this Court with a prayer for release of the arrear increments with effect from the year 1985 till the date of retirement on 2009, which he claims has not been paid to him.

2. At the outset, Mr. R.Gurung, learned counsel for the petitioner has drawn the attention of this Court to the affidavit filed by the respondents No. 1-6 wherein at para 10, the respondents have stated that the arrear increments amounting to ₹98,065/- with effect from 01-01-1996 to 28-02-2009, has already been credited in the petitioner's account in 2018 itself, but only with regard to the arrear increments from 22-11-1985 to 31-12-1995 remains to be resolved as the pay statement of the petitioner for that period could not be traced. He further submits that the issue being an intradepartmental issue, the petitioner should not be made to suffer on this



accord. He prays that appropriate direction be passed to direct the respondents to compute the said amount and to release the arrears as due.

3. Ms. I.Lyngwa, learned GA appearing for the respondents No. 1-6 has submitted that as placed in the affidavit in para 11, the arrear pay statement of the petitioner with effect from 22-11-1985 to 31-12-1995 has been prepared and the Directorate of Civil Defence and Home Guards, Shillong has requested the Government to permit the release of the said dues and that the same is awaiting approval.

4. In consideration of the submissions made on affidavit, nothing material remains for consideration as the respondents on their own admission has submitted that the pay statement has since been prepared and is only awaiting approval for release.

5. Accordingly, upon the given facts of the case, the respondent No. 3 is to give due consideration and process the matter preferably within a period of four months from the date a copy of this order is placed before them.

6. Matter accordingly stands closed and disposed of.

Chief Justice (Acting)