



Serial No.16 & 17
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 364 of 2024 and
WP(C). No. 385 of 2024

Date of Decision : 07.11.2024

WP(C). No. 364 of 2024

Shri. Aiboklang Dkhar

...Petitioner

-Versus-

1. Secretary, Managing Committee,
Mawrang, Upper Primary School,
Mawrang.
2. State of Meghalaya represented by
its Chief Secretary.
3. The Director of School Education and
Literacy, Meghalaya, Shillong.
4. The Divisional School Education
Officer, Nongstoin, Meghalaya.

...Respondents

Coram:

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

Appearance:

For the Petitioner/Applicant(s) : Mr. P.K.Shati, Adv.

For the Respondent(s) : Mr. S.M.Suna, Adv. for R 1.
 Mr. N.Syngkon, GA with
 Ms. Z.E.Nongkynrih, GA for R 2-4.

AND



WP(C). No. 385 of 2024

Shri. Aiboklang Dkhar

...Petitioner

-Versus-

1. Inquiry Officer (Shri. G.L.Langrin)
Mawrang Upper Primary School,
Mawrang village, West Khasi Hills
District, Meghalaya.
2. Managing Committee,
Mawrang, Upper Primary School,
Mawrang.
3. State of Meghalaya represented by
its Chief Secretary.
4. The Director of School Education and
Literacy, Meghalaya, Shillong.
5. The Divisional School Education
Officer, Nongstoin, Meghalaya.

...Respondents

Appearance:

For the Petitioner/Applicant(s) : Mr. P.K.Shati, Adv.

For the Respondent(s) : Mr. L.Shongwan, Adv. for R 1.
Mr. S.M.Suna, Adv. for R 2.
Mr. N.Syngkon, GA with
Ms. Z.E.Nongkynrih, GA for R 3&5.

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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. These two writ petitions involving the same subject matter in issue have been filed by the same petitioner, wherein, in WP(C). No. 364 of 2024, the order suspending the petitioner has been assailed, whereas, in WP(C). No. 385 of 2024, a challenge has been made to the appointment of the respondent No. 1 as the Inquiry Officer.

2. Today, the respondent No. 1 in WP(C). No. 385 of 2024, is represented by Mr. L.Shongwan, learned counsel, whose appointment as Inquiry Officer has been challenged on the ground that he is a member of the Managing Committee.

3. Mr. S.M.Suna, learned counsel on behalf of the respondent No. 2 submits that if the apprehension of the writ petitioner is that he will not get justice if respondent No. 1 is the Inquiry Officer, the Disciplinary Authority is prepared to appoint another Inquiry Officer, but as the charges are serious against the writ petitioner, the proceedings may be allowed to recommence as the same has been kept on hold due to the interim order passed by this Court.

4. On consideration of the circumstances of the case, the interim order dated 28-10-2024 stands vacated and the respondents are permitted to recommence the inquiry, howsoever, after appointing a fresh Inquiry Officer.



5. As in WP(C). No. 364 of 2024, the challenge is to the suspension of the petitioner, and as the proceedings have been allowed to recommence, the same has been rendered infructuous and is closed and disposed of.

6. As ordered above, both the matters stand disposed of, however with liberty to the writ petitioner to re-agitate the issue, if still aggrieved.

Judge