



Serial No. 06
Daily List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WA No. 19 of 2025

Date of order: 19.11.2025

Oleda Sheikh

...Appellant

-versus -

1. State of Meghalaya, represented by the Secretary to the Government of Meghalaya, Education Department, Meghalaya.
2. Director of School Education and Literacy, Meghalaya Shillong.
3. The State Project Director, SSA Meghalaya, Shillong.
4. The District Mission Coordinator, SSA West Garo Hills, Tura.
5. The Sub-Divisional School Education Officer/Jt. District Mission Coordinator, Dadenggre, West Garo Hills
6. The Block Mission Coordinator SSA, Selsella, West Garo Hills
7. Smti Supiya Khatun

...Respondents

Coram:

Hon'ble Mr. Justice Soumen Sen, Chief Justice
Hon'ble Mr. Justice H.S.Thangkhiew, Judge

Appearance:

For the Appellant : Mr H.L. Shangreiso, Sr Adv. with
Mr T. Dkhar, Adv.

For the Respondents : Mr K.P. Bhattacharjee, GA with
Ms S.Shyam, GA [for r1-6]
Mr K. Paul, Sr Adv. with
Mr S.A. Sheikh, Adv.
Mr S. Chanda, Adv.[for R7]

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



JUDGMENT: (per the Hon'ble, the Chief Justice) (Oral)

The appeal is arising out of the order dated 31.07.2024 passed by the learned single judge in WP(C) No. 390 of 2016 in which the appointment of the respondent No. 7 as the Headmistress of the Tillapara Girls SSA LP School was challenged. The writ petitioner was successful and consequently the appointment of the respondent No. 7 as Headmistress was set aside. The respondent No. 7 in the writ petition is the present appellant.

2. We have heard the learned counsel for the parties.

3. The record reveals that the writ petitioner was appointed as the Headmistress on 20.11.2001 and she continued to remain as the Headmistress of the school till an alleged enquiry was initiated. The writ petitioner was removed and the present appellant was appointed in her place. The learned counsel for the appellant has submitted that the enquiry report was prepared in the absence of the appellant and that the matter may be remanded for reconsideration after giving adequate opportunity of hearing to the parties. The writ petition succeeds on the ground that the Block Mission Coordinator held an enquiry after a petition was received from the present appellant in which she has ventilated her grievance that the Managing Committee was planning to remove her from the post of Assistant Teacher itself and her prayer for



consideration for promotion to the post of Head Teacher was kept pending. The enquiry officer on the basis of the relevant school record had come to a finding that the private respondent No. 7 is senior to the writ petitioner on the basis of their year of joining and it was concluded that the writ petitioner had superseded the private respondent No. 7 and as such, the private respondent No. 7 is to be appointed as the Headteacher of the school. This was the subject matter of challenge in the writ petition.

4. The writ petition succeeds on the ground that during the enquiry, the writ petitioner was not heard as it is a breach of the principles of natural justice. It appears that during the pendency of the appeal, the writ petitioner was appointed as the Headmistress.

5. We direct the Joint District Mission Coordinator to enquire into the matter and take a decision afresh with regard to the grievance of the writ petitioner as well as the present appellant with respect to the claim to the post of Headmistress of the Tillapara Girls SSA LP School. However, the present appointment of the writ petitioner in terms of the judgment and order of the learned single judge shall continue and shall abide by the decision to be taken by the authorities concerned within a period of 12 weeks from the date of communication of this order by either parties after giving an opportunity of hearing to the parties including the



members of the Managing Committee. The Managing Committee is directed to produce all relevant record and documents before the authorities concerned in order to enable the authority to arrive at a fair decision. The reasoned order shall be communicated to the parties within a fortnight from the date of passing the order.

6. The appeal stands disposed of with the aforesaid modification.

(H.S.Thangkhiew)
Judge

(Soumen Sen)
Chief Justice