



Serial No.37
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 211 of 2024

Date of Decision: 16.06.2025

Shri. Kebito Marak.

...Petitioner

-Versus-

1. The State of Meghalaya represented by the
Commissioner and 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.) RWS,
Division Resubelpara,
North Garo Hills District,
Meghalaya.
4. Sub-Divisional Officer, (P.H.E.) Bajengdoba,
Sub-Division, North Garo Hills District,
Meghalaya.
5. The Superintending Engineer (PHE),
Simsanggre Circle, Williamnagar,
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.
Ms. G.Ch. Marak, Adv.

For the Respondent(s) : Mrs. T.Yangi B, AAG with
Mr. J.N.Rynjah, Adv.

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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 AND ORDER (ORAL)

1. Heard Mr. P.T.Sangma, learned counsel for the petitioner and also Mrs. T.Yangi B, learned AAG assisted by Mr. J.N.Rynjah, learned GA on behalf of the respondents.

2. The prayer of the writ petitioner in the instant writ application is for consideration to allow him to join or be reinstated as a muster roll in the office of the Sub-Divisional Officer (PHE) Bajengdoba Sub-Division. Mr. P.T.Sangma, learned counsel for the petitioner submits that the writ petitioner had earlier approached this Court by way of WP(C). No. 278 of 2023, with a prayer to direct the respondents to allow him to join the post of



Chowkidar as per an appointment order dated 02-06-2023. This matter, he submits, came to be disposed of by order dated 16-04-2024, wherein directions had been issued that the respondents may consider to allow the writ petitioner to continue in the post of muster roll, and further to consider him if fit and eligible to discharge duties as Chowkidar, against a vacancy. He submits that after the order of this Court, the respondents have not reinstated the petitioner nor allowed him to join in any post and he has been left without any employment inspite of serving for over 10(ten) years as a muster roll.

3. Mrs. T.Yangi B, learned AAG assisted by Mr. J.N.Rynjah, learned GA appearing for the respondents, in reply submitted that the writ petitioner after unsuccessfully contesting the matter with regard to appointment as Chowkidar never bothered to rejoin to his earlier post which has resulted in the respondents not renewing his appointment as muster roll.

4. This Court has heard the learned counsel for the parties.

5. The only prayer in the writ petition it appears, is to allow the writ petitioner to be re-employed as muster roll and as such, is nothing but a mercy petition as the earlier contentions or claims to the post of Chowkidar has since been abandoned by the writ petitioner. The only aspect that has gone against the petitioner, is that inspite of the order dated 16-04-2024, the



writ petitioner has not approached the respondent authorities for reconsideration of his re-employment. Just to reiterate, in the judgment and order dated 16-04-2024, passed in WP(C). No. 278 of 2024 at para 6 thereof, this Court had directed as follows:

“6. Be that as it may, as the point of contention no longer exists, as the period of 89(eighty-nine) days, has since elapsed, this writ petition is closed, however, with the directions that the respondents may consider to allow the writ petitioner to continue in the post as a muster roll, and further to consider him if fit and eligible to discharge duties as Chowkidar, against a vacancy.”

6. Accordingly, in line with the judgment and order dated 16-04-2024, it is directed that the respondents consider re-employing the writ petitioner considering the fact that he had earlier served for 10(ten) years and is presently unemployed. The said consideration should to be done positively within a period of two months.

7. With the above directions, matter stands closed and disposed of.

Judge