



Serial No. 08
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 252 of 2025

Date of Decision: 10.07.2025

Shri Nantu Das,
S/o Dhiren Das,
R/o NEHU Campus, Mawkynroh Umshing,
East Khasi Hills District, Meghalaya

... Petitioner(s)

Versus

1. North Eastern Hill University represented by
The Vice-Chancellor,
Mawkynroh Umshing,
East Khasi Hills District, Meghalaya

2. The Registrar,
North Eastern Hill University,
Mawkynroh Umshing,
East Khasi Hills District, Meghalaya

3. The Joint Registrar (Estt-II)
North Eastern Hill University,
Mawkynroh Umshing,
East Khasi Hills District, Meghalaya

... Respondent(s)

Coram:

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

Appearance:

For the Petitioner(s) : Mr. M.L. Nongpiur, Adv. with
Ms. T. Sutnga, Adv.

For the Respondent(s) : Mr. S. Sen, Adv. with
Ms. E. Blah, Adv.



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 by this second round of litigation is before this Court with a prayer to declare the continued suspension of the petitioner after 22.11.2025, as illegal, and to quash and set aside the impugned order dated 30.08.2024, whereby the writ petitioner was placed under fresh suspension with immediate effect.

2. The brief facts surrounding the case is that the writ petitioner on the allegation of offence of molestation was arrested in connection with the said case and was suspended initially vide an order dated 22.11.2023. Aggrieved by the prolonged suspension and the suspension order not being reviewed, within a period of 90 days as provided under the CCS (CCA) Rules, 1965, the writ petitioner had approached this Court by way of WP(C) No. 129 of 2024. The writ petition was then allowed by an order dated 16.07.2024, with directions to reinstate the petitioner forthwith, though not precluding



the respondents taking further action under Rules 10 (1) of the CCS (CCA) Rules. Thereafter, it appears that an enquiry had been conducted by the ICC, wherein by its report dated 05.08.2024, a prima facie case was made out against the writ petitioner. On this development the respondents by the impugned order dated 30.08.2024, placed the petitioner under fresh suspension, pending disciplinary proceedings under Rule 10 (1) of the Rules.

3. Mr. M.L. Nongpiur, learned counsel for the petitioner submits that by operation of the Rule 10 (6) and 10 (7) of the CCS (CCA) Rules, 1965, a suspension order shall be reviewed by the competent authority to either modify or revoke the suspension before the expiry of 90 days, from the effective date of suspension, and if no review is taken the same would not be valid after a period of 90 days, unless extended. He further submits that as the fresh suspension order has been issued on 30.08.2024, the same would have lapsed on 28.11.2024 but till date there has been no review of the suspension order.

4. Mr. S. Sen, learned Standing counsel for the respondent University has submitted that the continued suspension of the writ petitioner was warranted by the circumstances surrounding the case, inasmuch as, the petitioner has been alleged to have committed a



serious offence. It is further submitted that in view of the ICC report and disciplinary proceedings, which have been initiated against the petitioner, the fresh suspension was called for. However, with regard to the issue as to whether the competent authority had reviewed the suspension order as provided by the Rules on expiry of 90 days, the learned counsel has produced a communication dated 09.07.2025, wherein it is clearly indicated that the said order has not been reviewed.

5. On hearing the learned counsel for the parties and also on examination of the materials on record, it is seen that the instant writ petition is nothing but a repetition of what has occurred or transpired in the earlier round of litigation, whereby on the expiry of 90 days from the effective date of suspension, no review has been conducted. Rules 10 (1) (2) (6) & (7) of the CCS (CCA) Rules, 1965 deal with suspension and the manner in which the disciplinary authority or any other authority empowered on behalf is to conduct the same. As in the earlier round of litigation, the respondent authorities it appears have not taken due action as provided under Rule 10 (6) of the CCS (CCA) Rules, 1965.

6. In consideration of the facts as placed, as no review has been undertaken by the respondents, by the strict application of the



Rules, and without going further into the details, the suspension is no longer held to be valid and the petitioner is liable to be reinstated forthwith to his post. It is ordered accordingly.

7. However, at the end of the arguments it has been submitted that by Mr. S. Sen, learned counsel that the writ petitioner is not cooperating with the proceedings that have been freshly initiated. As such, the writ petitioner is also directed to cooperate fully with the authorities concerned.

8. With the above noted directions, the matter stands closed and is accordingly disposed of.

JUDGE

Meghalaya
10.07.2025
"V. Lyndem-PS"