



Serial No.09
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

M.C. [WP(C)] No. 172 of 2025 in
WP(C) No. 259 of 2016

Date of Order: 01.08.2025

Shri. Golap Sena Sinha.
S/o (L) Lahaw Sharma
R/o Lyndhurst Estate,
A.G. Quarters, New Colony,
Laitumukhrah, East Khasi Hills
District, Shillong, Meghalaya.

- Vs.** 1.State of Meghalaya represented by
the Secretary and Commissioner,
Govt. of Meghalaya, Home (Civil
Defence) Depart, Shillong.
- 2.The Director of Civil Defence and
Commandant General, Govt. of
Meghalaya, Shillong.
3. The Deputy Director of Civil
Defence and Deputy Commandant
General, Shillong, Meghalaya.
4. Under Secretary to the Govt. of
Meghalaya, Home (Police)
Department, East Khasi Hills District
Shillong, Meghalaya.
5. The Commandant, Home Guards,
East Khasi Hills District, Shillong.
6. The Accountant General (A & E)
Meghalaya, Shillong.
7. The Senior Audit Officer (Estate),
Office of the Accountant General
(Audit), Shillong, Meghalaya.
8. The Account General (Audit)
Shillong, Meghalaya.
9. The Deputy Accountant General
(Admn), Shillong, Meghalaya.



.....Applicant.

.....Respondents.

Coram:

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. S. Khyriem, Adv.

For the Respondent(s) : Mr. S. Sengupta, Addl. Sr.GA. (R: 1 – 5)
Ms. E. B. Passah, Adv. (R: 6-9)

ORAL:-

Mr. S. Khyriem, learned Counsel is present on behalf of the petitioner, Mr. S. Sengupta, learned Addl. Sr. GA is present on behalf of the State-respondent Nos. 1 – 5 and Ms. E. B. Passah, learned Counsel is present on behalf of the respondent Nos. 7 – 9.

By this application, the applicant has sought for recalling of the common order dated 02-05-2025 passed in M.C. [WP(C)] No. 64 of 2025 insofar as it relates to the WP(C) No. 261 of 2016.

Three writ petitions i.e. WP(C) No. 259 of 2016, WP(C) No. 260 of 2016 and WP(C) No. 261 of 2016 were tagged together as similar and identical issues were involved therein. On the death of the petitioner in WP(C) No. 260 of 2016, an application for substitution was filed, which was registered as M.C. [WP(C)] No. 64 of 2025. Subsequent to the filing of the aforesaid application, an order was passed on 02-05-2025 allowing substitution of the petitioner in the said writ petition. However, as all the aforesaid three writ petitions were tagged together, it appears that order dated 02-05-2025 was treated as a common order in all the writ petitions.

Faced with the above situation, the applicant has filed this present application for recalling the common order dated 02-05-2025 in relation to



the WP(C) No. 261 of 2016 as the order has no bearing in the said writ petition.

Mr. S. Sengupta, learned Addl. Sr. GA appearing for the State-respondents has no objection to the prayer made.

Since, it is apparent that the passing of the common order dated 02-05-2025 was an outcome of an inadvertent error in the context of WP(C) No. 261 of 2016, the same is hereby recalled insofar as it concerns WP(C) No. 261 of 2016.

With the above, the present application stands allowed.

Judge

Meghalaya
01.08.2025
"Biswarup PS"

