



Serial No. 02
Daily List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WA No. 58 of 2025

Date of order: 22.10.2025

Greatwilla K. Sangma

...Appellant

- versus -

1. The State of Meghalaya, represented by the Commissioner and Secretary, Secretariat Administration Department (E), Meghalaya, Shillong.
2. Commissioner and Secretary to the Government of Meghalaya, Law Department, Meghalaya, Shillong.
3. The Joint Secretary, Government of Meghalaya, Secretariat Administration Department (Estt) Department, Meghalaya, Shillong.
4. The Under Secretary, Government of Meghalaya, Secretariat Administration Department (Estt) Department, Meghalaya, Shillong.
5. Shri Canningstone M. Sangma,
R/o. C/o M. Kurbah, Umlynka Mission Shillong, East Khasi Hills,
Shillong, District Meghalaya.

...Respondents

Coram:

Hon'ble Mr. Justice Soumen Sen, Chief Justice
Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Appellant : Mr P.T. Sangma, Adv. with
Ms H. Ch. Marak, Adv.

For the Respondents : Mr N.D. Chullai, AAG with
Mr E.R. Chyne, GA [for R1-4]
Mr A.G. Momin, Adv. [for R5]

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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 wife of the writ petitioner is the appellant. The appellant is aggrieved by the order dated 02.07.2025. The said order was passed in connection with the writ petition filed by the respondent No. 5 praying, inter alia, for a writ of mandamus upon the State of Meghalaya and other ancillary respondents for release of pensionary benefits.

2. The learned single judge disposed of the writ petition upon consideration of the materials on record as well as the affidavit-in-opposition filed by the State respondents with the observation that it is expected that the said pension matter of the petitioner shall be settled at the earliest, preferably within a period of two months from the date of the order.

3. In terms of the aforesaid order, pensionary benefits have been released in favour of the writ petitioner. The private respondent No. 8 in the writ petition is the appellant.

4. The contention of Mr P.T. Sangma, learned counsel appearing on behalf of the appellant is that the writ petitioner has deserted the appellant leaving six children born in the wedlock and proceeding for maintenance is pending before the District Council Court. Initially, maintenance of a sum ₹7000/- monthly was allowed by the District Council Court. However, the application for enhancement of maintenance has been dismissed by the District Council Court.



5. Being aggrieved by the said order, an appeal has been preferred before the Appellate Judge of the District Council Court who presently is in seisin of the matter.

6. It is submitted that in view of the fact that pensionary benefits would be a matter for consideration in deciding the enhancement of maintenance, the learned single judge ought to have considered the objection filed by the appellant.

7. We have heard the learned AAG and the learned counsel for the private respondent No. 5.

8. In the conspectus of the facts, we agree with the observation made by the learned single judge in paragraph 5 of the impugned order dated 02.07.2025 which reads as follows:

“5. With regard to the submissions made by Mr. P.T. Sangma, learned counsel for the respondent No. 8, it appears that the same is misconceived as the proceedings before the District Council Court have no connection or link with the pension and other terminal benefits which are due to the petitioner from the State respondents.”

9. Admittedly, there is no nexus between the prayers made by the writ petitioner and the proceeding pending before the appellate forum regarding the enhancement of maintenance. Any order allowing the writ petitioner does not make the proceeding pending before the appellate forum redundant or otiose.



10. However, it is expected that the appellate forum shall expedite the proceeding and decide the appeal as expeditiously as possible.

11. In that view of the matter, we are not inclined to interfere with the impugned order. The appeal is dismissed. There shall be no order as to costs.

(W. Diengdoh)
Judge

(Soumen Sen)
Chief Justice