



Serial No. 03
Daily List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WA No. 69 of 2024 with
MC(WA) No. 67 of 2024

Date of order: 28.01.2025

Shri Nantu Das

...Appellant

- Versus -

1. North Eastern Hills University,
represented by the Vice-Chancellor,
Mawkynroh, Umshing, East Khasi Hills District, Meghalaya.
2. The Registrar,
North Eastern Hills University,
Mawkynroh, Umshing, East Khasi Hills District, Meghalaya.
3. The Joint Registrar (Esst-II)
North Eastern Hills University,
Mawkynroh, Umshing, East Khasi Hills District, Meghalaya.

....Respondents

Coram:

Hon'ble Mr. Justice I.P. Mukerji, Chief Justice
Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Appellant : Mr. M.L. Nongpiur, Adv.

For the Respondents : Mr. S. Sen. SC. NEHU with
Ms. E. Blah, 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: (per the Hon’ble, the Chief Justice) (Oral)

The judgment and order dated 16th July, 2024 from a part of which the appellant has preferred this appeal is substantially in favour of the appellant.

In reality what the appellant wants in this appeal is a clarification of paragraph 11 of the judgment and order by which the writ petition was allowed but his lordship stated “but this order shall not be taken to preclude the respondents from taking such further actions as necessary under the law, or as provided under Section 10(1) of the CSS (CCA) Rules, 1965.”

Learned counsel for the appellant contends that after the suspension order is deemed to have been revoked or set aside by the impugned judgment and order, there could not be any further suspension under Section 10(1) of the CCS (CCA) Rules, 1965.

Rule 10 in Part IV deals with suspension. Rule 5 stipulates that if during continuation of suspension, another proceeding is started against the delinquent and he is placed under suspension, inspite of revocation of the first suspension, his suspension would continue till revocation of all suspension orders or till the expiry of the suspension orders whichever is later.



It follows from the rules that revocation or setting aside of a suspension order does not necessarily prevent the disciplinary authority from passing another suspension order in respect of any different or further act of the delinquent. In our view, this is the interpretation to be given to the impugned judgment and order. Another order of suspension on the selfsame cause of action cannot be maintained but the authority is free to exercise powers under Section 10 in case of any independent act of the appellant with which they may be aggrieved.

With the above observations and clarification of the impugned judgment and order, this appeal is disposed of. We have not interfered with the impugned judgment and order but we only interpret it and clarify the same.

MC(WA) No. 67 of 2024 stands disposed of.

(W. Diengdoh)
Judge

(I.P. Mukerji)
Chief Justice