



Serial No. 07
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

MC(WPC) No.272 of 2025

Date of Order: 14.11.2025

Shri. Joel Singh Rynjah
Son of Shri. A.S. Khongjoh
Resident of 189, Rynjah Southern side of
Umpling Road, Rynjah Shillong.
East Khasi Hills District, Meghalaya.

.....Applicant

-VERSUS-

1. State of Meghalaya represented by the
Secretary of Education Department to the
Government of Meghalaya, Shillong, Meghalaya.

2. Directorate of Higher & Technical Education
Represented by the Director,
Government of Meghalaya, Shillong, Meghalaya.

3. The Shillong Polytechnic, Represented by the
Principal Mawlai Mawdatbaki, Shillong,
East Khasi Hills, Meghalaya-793008.

.....Respondents

Coram:

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Applicant(s) : Ms. B.F. Kharwanlang, Adv

For the Respondent(s) : Mr. K.P Bhattacharjee, GA
Ms. I. Lyngwa, GA

(ORAL)

Heard Ms. B.F. Kharwanlang, learned counsel appearing for the applicant and also Mr. K.P. Bhattacharjee, learned GA appearing for the respondents.



By this application, the applicant has prayed for recalling of the order dated 15.09.2025 passed in WP(C) No.29 of 2018 by which the writ petition was dismissed for default.

The learned counsel for the applicant submits that non-appearance of the applicant on the date fixed was not intentional as the counsel representing the applicant had some personal difficulty and could not appear before the Court. The learned counsel further submits that the applicant had no opportunity to instruct any other counsel to seek time in the matter. It is submitted that the dismissal was not due to the personal fault of the applicant and reason for non-appearance was beyond the control of the applicant.

Mr. K.P. Bhattacharjee, learned GA on the other hand, submits that the applicant is a habitual defaulter and the writ petition was dismissed earlier once on 18.10.2024 and was restored back to file on the basis of the order passed in MC(WPC) No.201 of 2024. He, therefore, submits that the applicant has no real intention of pursuing the matter and, hence, the application for restoration requires no consideration.

Upon hearing the learned counsels for the parties and on perusal of materials on record, it appears that this is the second dismissal of the writ petition for default. On earlier occasion also, the writ petition was dismissed for default on 18.10.2024. However, from the submissions advanced by the learned counsel for the applicant, it appears that the applicant had no knowledge of non-appearance of his counsel on the date fixed. Thus, the applicant cannot be directly held responsible for the dismissal of the writ petition. The reasons cited by the applicant, therefore, appears to be sufficient for his non-appearance before the Court.

In view of the above, the prayer made in this application stands allowed. The order of dismissal dated 15.09.2025 passed in WP(C) No.29



of 2018 is hereby recalled and the writ petition is restored back to file.

With the above the application stands disposed of.

Judge

Meghalaya
14.11.2025
"Shrity,PS"

