



Serial No. 1
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

MC(WA) No. 90 of 2025

In WA No. 77 of 2025

Date of order: 09.12.2025

1. The State of Meghalaya represented by the Director of Sericulture and Weaving Department of Textiles, Meghalaya, Shillong.
2. The Principal Secretary to the Govt. of Meghalaya, Textiles Department, Shillong.

....Applicants

- versus -

1. Sh. Lurmankara Rympei,
Sericulture Inspector, Office of District Sericulture Officer,
Nongpoh, Ri Bhoi District.
2. Smti. Iadalin Kharjana,
Manager, Manager, Office of District Sericulture officer, Shillong,
East Khasi Hills District
3. Smti Nickchira Ch. Marak,
Reeling Foreman, Office of District Sericulture officer,
Resubelpara, North Garo Hills District
4. Sh. Bashaibok Mawtoh,
Sericulture Inspector. Office of the District Sericulture Officer,
Jowai, West Jaintia Hills District
5. Sh. Brilliant E.C. Palle,
Reeling Foreman. Office of District Sericulture Officer, Jowai,
West Jaintia Hills District.
6. Sh. Ashraful Alom,
Sericulture Inspector, Office of District Sericulture Development
officer, Tikrikilla, West Garo Hills District
7. The Meghalaya Public Service Commission through its Secretary,
Lachumiere, Shillong.

....Respondents

**Coram:**

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

Appearance:

For the Applicant : Mr A. Kumar, AG with
 Ms S. Laloo, GA
 Ms D. Mukherjee, GA

For the Respondents : Mr Philemon Nongbri, Adv. [for R1-6]
 Ms B.F. Kharwanlang, Adv.
 Vice Mr K. Paul, Sr Adv. [for R7]

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| i) | Whether approved for reporting in Law journals etc.: | Yes/No |
| ii) | Whether approved for publication in press: | Yes/No |

JUDGEMENT: (per the Hon'ble, the Chief Justice) (Oral)

There is a delay of 768 days in preferring the appeal.

2. The learned Advocate General appearing on behalf of the appellants has submitted that the delay is caused due to an impression sought to be created by the judgment under appeal that the appellants would be required to consider the case of the writ petitioners for regularisation in accordance with law. However, the writ petitioners have contended that in fact, there is a direction upon the appellants to regularise their services and on such understanding, a contempt petition has been filed and is pending before the learned single judge. In view of the changed circumstances, the appeal could not be preferred earlier.



3. We are satisfied with the explanation offered by the learned Advocate General in not being able to file the appeal within the period of limitation, the delay of 768 days in preferring the appeal is, hereby condoned. Since no affidavit is called for all allegations are deemed to have been denied. MC(WA) No. 90 of 2025 is allowed.

4. The appeal arises out of a judgment and order dated 05.09.2023 in a writ petition in which six persons (writ petitioners) sought a direction for consideration of regularisation of their services by the respondents. The learned single judge in paragraph 5 has recorded that on the basis of the materials, a mandamus cannot be issued to direct the respondents to regularise the services of the writ petitioners but directing the State to consider their case on the basis of the order in WP(C) No. 53 of 2019 and also the fact that they were appointed against the vacant sanctioned posts and were also afforded regular pay scale along with increments which had all the trappings of regular employment. The learned single judge also directed the State to consider the order dated 18.03.2010 and the footnote to that said order which also found place in their letter of appointment in considering their case for regularisation in accordance with law.

5. The learned Advocate General has submitted that the said order is now attempted to be construed by the writ petitioners in the contempt



petition as a positive direction for regularising their case notwithstanding any other criteria that might operate against them in the process of regularisation and in view of that, this writ appeal has been filed.

6. We have been informed that the contempt petition is pending in which the State has filed affidavits to disclose those facts. In our respectful reading of the judgment, it is only a case for consideration of the case of the writ petitioners for regularisation in view of some of the facts that have emerged during the hearing of the writ petition and found to be relevant for the purpose of deciding the prayer for regularisation of the writ petitioners.

7. We direct the appellants to expedite the process of finalising and publishing a draft advertisement within two weeks from date.

8. With the aforesaid observation, the appeal is disposed of.

(W. Diengdoh)
Judge

(Soumen Sen)
Chief Justice