



Serial No.02
Daily List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WA No.71/2025 with
MC (WA) No.91/2025

Date of Judgment: 27.11.2025

Sultan Mamud Sarkar

..... Appellant

Vs.

1. The State of Meghalaya represented by the Commissioner and Secretary to the Government of Meghalaya, Education Department, Shillong.
2. The State of Meghalaya represented by the Secretary to the Government of Meghalaya, Education Department, Meghalaya, Shillong .
3. The Joint Secretary to the Government of Meghalaya, Education Department, Meghalaya, Shillong.
4. The District School Education and Literacy, Meghalaya, Shillong.
5. The District School Education Officer, West Garo Hills District, Tura.
6. The Sub-Divisional School Education Officer, Dadenggre Sub-Division, West Garo Hills, Meghalaya.
7. The Block Mission Coordinator, Selsella, West Garo Hills District, Meghalaya.
8. The Cluster Resource Coordinator, Gasbari, West Garo Hills District, Meghalaya.
9. Smti. Habibun Nehar
10. Shri Abdus Sattar

..... 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
For the Respondents : Mr. N. Syngkon, GA with
Mr. J.N. Rynjah, GA



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| i) | Whether approved for reporting in Law journals etc.: | Yes/No |
| ii) | Whether approved for publication in press: | Yes/No |
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JUDGMENT: (per the Hon'ble, the Chief Justice) (Oral)

The appellant is one of the writ petitioners.

2. The writ petition was decided on 31.10.2025 by the learned single judge along with another writ petition which involves the appointment of the respondent No.9 in the writ petition as in-charge Headmaster of Nayagaon Govt. Aided U.P. School.

3. The petitioner claims to be senior to the respondent No.9 and also having the requisite qualifications for the said post as opposed to the seniority and other criteria including the educational qualification of the respondent No.9 in the writ petition.

4. In course of hearing before the learned single judge, it transpired that inspite of repeated directions, the Managing Committee was not constituted. This has resulted in gross mismanagement and has disrupted the functioning of the said school. In our view, the State ought to have taken immediate steps without waiting for any order of the court to ensure that the Managing Committee reconstituted failing which, to take stern action and if may require to take over the management of the school by appointment of an administrator. The matter is still pending since 2022 and is not in the interest of the students that a school should



run with an ad hoc management. The appellant may have a better claim than the respondent No.9 but it will be premature at this stage to decide the said issue as a direction has already been passed by the learned single judge with regard to the steps to be taken for reconstitution of the Managing Committee and to make appointments in accordance with the rules. It necessarily means that the seniority and academic qualifications are to be duly considered.

5. In that view of the matter, we do not wish to interfere with the order passed by the learned single judge. The directions passed by the learned single judge shall be treated as peremptorily and mandatory should be complied with within the time stipulated in the order.

6. The writ appeal and the miscellaneous application are disposed of.

(W. Diengdoh)
Judge

(Soumen Sen)
Chief Justice