



Serial No.13
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 13 of 2026

Date of Decision: 09.03.2026

1. Shri. Baremdor Thangkhiew
S/o Shri. Brusing Lyngdoh
R/o Lumkshaid, Lower Mawprem,
East Khasi Hills District,
Shillong – 793002, Meghalaya.
2. Smti. Benita Dellora Muktieh,
D/o (L) Benedict Lyngdoh,
R/o Lumkshaid, Lower Mawprem,
East Khasi Hills District,
Shillong – 793002, Meghalaya.

...Petitioner

-Versus-

1. State of Meghalaya, represented by the
Principal Secretary, Commerce and
Industries Department, Govt. of Meghalaya,
Additional Secretariat Building,
Shillong – 1, Meghalaya.
2. The Under Secretary to the Govt. of Meghalaya,
Commerce and Industries Department,
Govt. of Meghalaya,
Additional Secretariat Building,
Shillong – 1, Meghalaya.
3. The Director of Commerce and Industries,
Govt. of Meghalaya, Lower Lachumiere,
Shillong-1, Meghalaya.



4. The Personnel & A. R. (B) Department,
Represented by the Commissioner & Secretary,
Government of Meghalaya, Main Secretariat,
East Khasi Hills District, Shillong-793001,
Meghalaya.
5. The Deputy Secretary to the Govt. of Meghalaya,
Personnel & A.R.(B) Department.

...Respondents

Coram:

Hon'ble Mr. Justice H.S.Thangkhiew, Judge

Appearance:

For the Petitioner/Applicant(s) : Mr. N.Syngkon, Adv.
Ms. L.Phanjom, Adv.

For the Respondent(s) : Mr. A.Kumar, Adv.
Mr. H.Abraham, GA.
Ms. S.Laloo, GA.

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

JUDGMENT AND ORDER (ORAL)

1. The petitioners, who are stated to be serving in the post of Industrial
Promotion Officer in the Department of Commerce and Industries for the



last 14 years, are again before this Court in this third round of litigation praying for regularisation of their services in the said post.

2. The brief necessary background facts are that the petitioners had entered their services by a selection process which had been conducted by the Departmental Selection Committee, and were appointed under Regulation 3(f) of the MPSC (LoFs) Regulation 1972. On their services not being regularised, the writ petitioners had in the years 2017 and 2019, approached this Court by way of WP(C). No. 198 of 2017 and WP(C). No. 257 of 2019, which were disposed of by this Court vide order dated 11-03-2020, whereby, directions were issued that the petitioners be allowed to participate in the selection process which had been advertised on 26-04-2016. Against the order of the Single Bench, the writ petitioners had then preferred WA. No. 11 of 2020 and WA. No. 12 of 2020, which was disposed of by order dated 22-10-2021, whereby this Court had directed that the representation of the petitioners was to be decided by the respondents on its own merit and in the light of documents dated 10-01-2013 and 19-02-2021.

3. The present grievance of the writ petitioners is that though there were clear directions passed by this Court in the writ appeals, the representation had been disposed on a different ground altogether, and not as per directions of the Division Bench and further, that the fresh writ petitions had been



occasioned in view of the fact that the respondents had referred to the Office Memorandum dated 25-09-2025, with regard to the aspect of regularisation of the writ petitioners.

4. Mr. N.Syngkon, learned counsel for the petitioners has submitted that the action of the respondents in seeking to club the services of the petitioners and their prayer for regularisation under the Office Memorandum dated 25-09-2025 is misplaced and incorrect, inasmuch as, the cause of action of the petitioners and their claim for regularisation, had arisen much before the advent of the said memorandum which would apply only to other cases. Learned counsel has also strenuously argued that though the representation preferred pursuant to the judgment of the Division Bench dated 22-10-2021 had been disposed, the same was without considering the directions contained therein. He further submits that a further order which has been impugned, had also been issued on 15-12-2025, whereby the services of the writ petitioners have not been extended, but however, due to the interim orders of this Court, the petitioners are continuing in service. Learned counsel then prays that a writ of mandamus be issued to direct the respondents to comply with the explicit direction contained in the Division Bench order and for disposal of the representation afresh taking into account the documents mentioned therein.



5. Mr. A.Kumar, learned AG assisted by Mr. H.Abraham, learned GA appearing for the respondents, has laid strong emphasis on the fact that the petitioners are appointees under Regulation 3(f) of the MPSC (LoFs) Regulation 1972, and that they have no vested right to claim for regularisation, inasmuch as, they will have to face a regular selection process. He further submits that the writ petitioners, though had appeared for selection process in the earlier round of selection pursuant to the advertisement dated 18-04-2023, were not successful and as such, at this stage cannot claim for regularisation by virtue of having served in the said post for many long years. The learned Advocate General submits that however, as it has been pointed out by the Court that perhaps the representation had not been disposed of in the manner as directed by the Hon'ble Division Bench, the respondents may be given an opportunity to re-examine the matter afresh and consider it in the light of the documents mentioned therein, and dispose of the same in accordance with law.

6. Having heard the learned counsel for the parties and looking into the history of the entire case, this Court notes that the writ petitioners have engaged in litigation since 2017 and till date, the matter is yet to be resolved. In the facts of the instant writ petition i.e. WP(C). No. 13 of 2026, it is also noted that the respondents have sought to take refuge under the Office Memorandum dated 25-09-2025, to answer the grievances raised by the



petitioners, but this Court, in consideration of the long chequered history, has no hesitation to observe that the Office Memorandum dated 25-09-2025, would have no application to the case of the writ petitioners in view of the earlier orders passed by this Court in the Division Bench.

7. Accordingly, without lingering with the matter any further, and since the learned Advocate General had made a concession that the matter will be re-examined, it is therefore directed that the respondents re-examine afresh the representation dated 03-11-2021, as per the directions contained in the order dated 22-10-2021, passed in WA. No. 11 and 12 of 2020 by the Division Bench of this Court. The said representation shall be disposed of within six weeks from the date of this order today, and it is made clear that during the pendency, before any final orders are passed, the services of the writ petitioner shall not be disturbed.

8. With the aforesaid directions, the writ petition is accordingly disposed of.

Judge