



Serial No.02
Daily List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP (C) No.175/2026

Date of order: 07.08.2026

1. Union of India, represented by the Secretary to the Government of India, Ministry of Finance, Department of Revenue, New Delhi-110001.

2. The Chief Commissioner, Central Goods & Services Tax & Customs, Guwahati Zone, GST Bhawan, Machkowa, Kedar Road, Guwahati-7810001.

3. The Commissioner of Customs, North East Region, M.G. Road, Shillong-793001. Petitioners

Vs.

1. Shri Raju Singh
2. Shri Dipak Chandra Borah
3. Shri Probir Kumar Ghosh
4. Shri Kamal Majumder
5. Shri Mridu Das
6. Shri Bipul Dhar
7. Shri Kanu Debnath
8. Md. Tasan Ali
9. Shri Narayan Devnath
10. Shri Mahindra Deka
11. Shri Lalan Basfor
12. Shri Nital Malakar
13. Shri Biren Das
14. Shri Deepak Barman

..... Respondents

**Coram:**

Hon'ble Mrs. Justice Revati Mohite Dere, Chief Justice
Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioners: Dr. N. Mozika, DSGI with
Ms. K. Gurung, Adv

For the Respondents: Mr. A.K. Baruah, Adv with
Mr. H. Nath, Adv
Mr. R. Pramanik, Adv

JUDGMENT: (per the Hon'ble, the Chief Justice): (oral)

By this petition, the petitioners seek the following substantive relief;

“In the premises aforesaid it is prayed that Your Lordships may be pleased to admit this appeal, call for the records, issue notice calling upon the respondents to show cause and on cause or causes shown and after hearing the parties be pleased to modify the order dated 13.09.2024 passed by the learned Central Administrative Tribunal, Guwahati Bench in Original Application No.040/214/2024 and M.A. No.040/103/2024 and permit the petitioners to reconsider the matter and pass a fresh speaking order as to the entitlement of the pay of the respondents and/or be pleased to pass such further or other orders as your Lordships may deem fit and proper.”

2. Learned counsel for the respondents vehemently opposes the petition. He submits that the said prayer is not maintainable, inasmuch as, the order dated 13th September, 2024 passed by the



CAT was a consent order, inasmuch as, the CAT directed without entering into the merits, the respondent No.3 therein i.e., the Commissioner of Customs, North East Region, Shillong, to consider the representations of the respondents (applicant therein), dated 25th April, 2018, 29th May, 2018, 2nd May, 2024 and 3rd May, 2024, within three months from the date of receipt of the certified copy of the order. He submits that pursuant to the said order passed by the CAT dated 13th September, 2024, the Government of India, Ministry of Finance, Department of Revenue, Office of the Commissioner of Customs (Preventive), passed the order dated 30th April, 2025, in favour of the respondents. He submits that, if at all the petitioners have any grievance, they ought to approach the CAT and not this Court.

3. We find merit in the said submissions.

4. Having perused the papers, we find that the order dated 13th September, 2024, was passed by the CAT without entering into the merits of the case i.e., merits of the OA filed by the respondents herein. By the said order, the Commissioner of Customs, North East Region, Shillong, was directed to consider



the representations of the respondents-applicants in the OA, within three months. It is pertinent to note that the learned counsel for the petitioners (original respondents in the OA) before the CAT had no objection to the submission advanced by the learned counsel for the respondents (applicants in the OA), if a direction is given to the respondents (petitioners herein), to decide the representations of the respondents. In this view of the matter, it is now not open for the petitioners to challenge the said order dated 13th September, 2024, which was a consent order.

5. It is also not in dispute that pursuant to the order dated 13th September, 2024, the Ministry of Finance, Department of Revenue, Office of the Commissioner of Customs (Preventive), has issued the order dated 30th April, 2025, after considering the representations of the respondents in terms of the recommendations made by the 7th Pay Commission.

6. Without entering into the merits of the said order, we find that the petitioners have an alternative efficacious remedy, inasmuch as, it is open for the petitioners to approach the CAT in accordance with law.



7. Accordingly, we are not inclined to entertain this petition. Needless to state, it is open for the petitioners to take appropriate steps in accordance with law before the appropriate forum.
8. Petition is disposed of on the aforesaid terms.
9. All parties to act on the authenticated copy of this order.

(W. Diengdoh)
Judge

(Revati Mohite Dere)
Chief Justice

Meghalaya
07.08.2026
"*Lam* DR-PS"