



Serial No. 31
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 202 of 2024

Date of Decision: 02.03.2026

1. Shri Shahajol Abedin
 2. Shri Atiqul Islam
- ... Petitioner(s)**

Versus

1. State of Meghalaya represented by
The Principal Secretary to the Government of Meghalaya,
Community & Rural Development Department,
East Khasi Hills District, Shillong, Meghalaya
2. Under Secretary to the Government of Meghalaya,
Community & Rural Development Department,
East Khasi Hills District, Meghalaya.
3. The Mission Director,
State Rural Employment Society,
Sympli Building, Dhankheti,
East Khasi Hills District, Shillong Meghalaya
4. The Project Director, DRDA,
Selsella C&RD Block,
West Garo Hills District, Meghalaya.
5. The Deputy Commissioner/District Programme Officer, MREGS,
West Garo Hills District, Tura, Meghalaya
6. The Block Development Officer/Programme Officer, MREGS,
Selsella C&RD Block, Selsella,
West Garo Hills District, Meghalaya
7. Sobribari Village Employment Council (VEC)
Represented by its President under Selsella C&RD Block,
P.O. Sobribari, West Garo Hills District, Meghalaya



8. Shri Azizur Rahman,
Secretary of Sobribari VEC under Selsella C&RD Block
P.O. Sobribari, West Garo Hills District, Meghalaya
9. Smti Nikrachi Ch. Sangma,
Enquiry Officer, JRDO, Selsella C&RD Block,
West Garo Hills District, Meghalaya

.... Respondent(s)

Appearance:

For the Petitioner(s)	:	Ms. M.L. Tlau, Adv. with Mr. R.H. Alice,
For the Respondent(s)	:	Ms. Z.E. Nongkynrih, GA (For R 1-6&9) Ms. M. Rahman, Adv. (For R 7&8)

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 herein being aggrieved with the manner in which the enquiry as mandated by this Court was conducted are before this Court impugning the same and have prayed for directions in view of the RTI findings that has been obtained subsequently showing irregularities in the execution of the works in the Village, for criminal proceedings to be initiated against the respondents Nos. 7 & 8.

2. Ms. M.L. Tlau, learned counsel for the petitioners has submitted that this Court by order dated 02.05.2024, which was passed in the earlier writ petition i.e. WP(C) No. 109 of 2023, preferred by the



petitioners, an enquiry had been directed to be gone into on the question of release of funds and improper execution of works by the VEC, under the respondents Nos. 7 & 8. She further submits that in the course of the proceedings of the earlier writ petition, the enquiry was conducted and a report was submitted to the Court and though the findings were not acceptable to the writ petitioners, as the Enquiry Report itself was not under challenge, the instant writ petition has been filed. She therefore, submits that in view of the revelations which has been obtained through RTI, which she alleges reflects the mis-use of funds and the irregular manner in the execution of works, the earlier Enquiry Report dated 11.05.2023, be set aside and a fresh enquiry to be directed to be gone into by the respondents.

3. Mr. Z.E. Nongkynrih, learned GA for the State respondents in reply has submitted that in the earlier Enquiry itself, which was conducted on 04.04.2023, 14.04.2023 and 10.05.2023, all the relevant sites as per the complaints had been visited and the Enquiry Report is based on the site inspections, which were carried out to confirm the projects shown by the VEC functionaries and the complainants. It is also submitted that the enquiry was conducted in the presence of the complainants themselves, and that the same was completed under challenging circumstances, due to arguments between the complainants



and the VEC functionaries. It is lastly submitted that should the writ petitioner harbour any misgiving with regard to the Enquiry Report, there are at liberty to file an appropriate appeal under Rule-3 of *The Meghalaya Rural Employment Grievance Redressal Rules, 2009*. She therefore, prays that at this stage the writ petition be rejected and the writ petitioners be directed to resort to alternate remedy as provided under the Rules.

4. Ms. M. Rahman, learned counsel for the respondents Nos. 7 & 8, has endorsed the submissions made by the learned GA, and has submitted that the enquiry was conducted in a free and fair manner and that there were no irregularities as alleged by the writ petitioners. To substantiate this submission, the learned counsel has drawn the attention of this Court to the Annexure-8 to the writ petition, which contains the letter showing the details of the Enquiry Report, along with photographs which were submitted and further that, measurements were taken on the Spot Enquiry and cross-checked by the Junior Engineer and Tech. Assistant. She therefore, submits that the enquiry being conclusive, the remedy prayed for by the writ petitioners, should not be allowed.

5. Having heard the learned counsel for the parties and on a bare perusal of the allegations as set out by the writ petitioners against the enquiry i.e. the identity of Job cards holders, as well as the other materials concerned disputed facts have been arisen, which cannot be gone into by



this Court, in exercise of writ jurisdiction. Though Ms. M.L. Tlau, learned counsel for the petitioner has impressed upon this Court for directions for a re-enquiry, in view of the disputed facts which are present, this Court deems it fit to allow the writ petitioners if still aggrieved, to prefer an appeal against the Enquiry Report dated 11.05.2023, before the District Programme Coordinator, as provided under clause-3 (2) of *The Meghalaya Rural Employment Grievance Redressal Rules, 2009*.

6. As considerable time has elapsed since the passing of the Enquiry Report, however considering the fact that the writ petitioners are actively pursuing the matter before this Court, both in the Single Bench and Division Bench, the delay if any shall stand condoned. The District Programme Coordinator shall dispose of the matter in accordance with law, by affording adequate opportunity to the writ petitioners. The writ petitioners are directed to present the said appeal, within a period of 15 days from the date of this order.

7. With the above noted directions, this matter stands closed and is accordingly disposed of.

JUDGE

Meghalaya
02.03.2026
"V. Lyndem-PS"