



Serial No. 06
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 464 of 2024

Date of Decision: 20.02.2026

Shri G/2099 Hav/GD Ran Vijay Singh,
S/o Late Shatrughan Singh, aged about 49 years,
G/2099 Hav/GD (Diploma qualified in Civil Engineering),
Presently posted at Assam Rifles Training Centre & School,
Dimapur (Engineer Branch), Dimapur, Nagaland

..... Petitioner(s)

- Versus -

1. Union of India represented by
The Secretary to the Government of India,
Ministry of Home Affairs, North Block,
New Delhi-110001.
2. Director General Assam Rifles, Mahanideshalaya,
(The Directorate General Assam Rifles),
Shillong-793011, Meghalaya.
3. Brigadier (Personnel)
Directorate General Assam Rifles,
Meghalaya, Shillong-793011.

... Respondent(s)

Coram:

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

Appearance:

For the Petitioner(s)	:	Mr. M. Chanda, Adv. with Mr. M.L. Nongpiur, Adv.
For the Respondent(s)	:	Dr. N. Mozika, DSGI with Ms. M. Myrchiang, Adv.



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

JUDGMENT AND ORDER

1. The writ petitioner being aggrieved by the impugned order dated 11.07.2024, whereby the respondents had rejected the case of the petitioner for relaxation of the Recruitment Rules, 1999, for consideration of appointment through remusteration to the post of Naib Subedar as provided under the Assam Rifles Recruitment Rules, 1999, is before this Court with the prayer that appropriate directions be passed to set aside the impugned order of rejection, and for further directions to the respondents, to appoint the petitioner to the post of Naib Subedar (B&R), by way of remusteration, in the existing vacant post.

2. It is submitted by Mr. M. Chanda, learned counsel for the petitioner that as per the Recruitment Rules of 1999, the respondents are vested with the power of relaxation in the matter of recruitment of Naib Subedar (B&R), and that the respondents by the impugned order have come to a perverse finding that there is no provision for remusteration in the Recruitment Rules of 1999, for filling up the post of Naib Subedar, and that the only provision is by way of Direct Recruitment. It is also submitted that the respondents have availed the services of the petitioner



for more than 17(seventeen) years, without granting any higher remuneration, or allowing any pay benefit to the post of Naib Subedar. He therefore, prays that the impugned order being bad in law, be set aside and the writ petition be allowed.

3. Dr. N. Mozika, learned DSGI assisted by Ms. M. Myrchiang, learned counsel for the respondents in reply has submitted that for the said post in question, there is no provision for remusteration and the post is only to be filled up by Direct Recruitment. It is further submitted that in a similar matter which appeared before the High Court of Manipur, a Single Bench by an order dated 10.10.2019 passed in WP(C) No. 947 of 2017, had allowed the prayer of the similarly situated petitioners, and directions were issued for remusteration with effect from the date of completion of Diploma Course, but that this order was taken to appeal before the Division Bench. In the appeal it is submitted, an order dated 02.04.2025 was passed in WA 89 of 2022 and in another connected matter WA No. 4 of 2025, whereby the respondents were directed to consider the representation of the petitioners and to pass appropriate orders in accordance with law. The matter he submits, then travelled to the Supreme Court, and by an order dated 27.01.2026 passed in SLP No. 16137/2025, the SLP filed against the Writ Appeal stood dismissed. He therefore,



submits that the petitioner being similarly situated, no relief can be forthcoming.

4. Mr. M. Chanda, learned counsel for the petitioner submits that though this position may be correct, however the matter was never gone into on its merits, and perhaps the writ petitioner may be given the same allowance as given to the similarly situated petitioners in the writ petition that was disposed of before the Manipur High Court.

5. The same is not objected by the learned DSGI for the respondents.

6. This Court on hearing the learned counsel for the parties and on considering the materials which have been placed, especially the Courts' orders of the Manipur High Court and the Hon'ble Supreme Court, without lingering with the matter considering the situation of the case, and the fact that the respondents in the other cases have been directed to consider the representations, in the view of this Court the same concession can be also afforded to the writ petitioner herein.

7. Accordingly, the writ petition is disposed of with the direction that the writ petitioner file a representation within a period of 3(three) weeks from today and the respondents directed to consider the same within a period of 8(eight) weeks, thereafter strictly in accordance with law.



8. Till such disposal of the representation, the interim order shall continue.

9. Accordingly, in terms of the directions contained hereinabove, the matter stands closed and disposed of.

JUDGE

Meghalaya
20.02.2026
"V. Lyndem-PS"