Serial No.02
Daily List

HIGH COURT OF MEGHALAYA
AT SHILLONG

MC (WA) No.69/2025

Date of order: 04.08.2025

M/s Meghalaya Roofing, represented by duly authorised partner Shri Manish Agarwal, S/o Sunil Kumar Agarwal, resident of Assam Rifles, Happy Valley Shillong, East Khasi Hills District, Meghalaya.

..... Appellant

Vs.

1. State of Meghalaya, represented by the Chief Secretary to the Government of Meghalaya, Shillong East Khasi Hills District, Meghalaya-793001.

2. The Secretary to the Government of Meghalaya Housing Department, Shillong, East Khasi Hills District, Meghalaya-793001.

3. The Director, Directorate of Housing, Government of Meghalaya, Lower Lachumiere, Shillong, East Khasi Hills District, Meghalaya-793001.

4. M/s Power Roofing, Umtru Road Village Amjok, Byrnihat Ri-Bhoi-793122.

..... Respondents

Coram:
Hon'ble Mr. Justice I.P. Mukerji, Chief Justice
Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Applicant : Mr. H.L. Shangreiso, Sr.Adv with
Mr. T. Dkhar, Adv

For the Respondents : Mr. N.D. Chullai, AAG with
Mr. E.R. Chyne, GA
Dr. N. Mozika, Sr.Adv with
Ms. K. Gurung, Adv for R/4

i) Whether approved for reporting in Law journals etc.: Yes

ii) Whether approved for publication in press: Yes

For proper public information and transparency, any media reporting this judgment is directed to mention the composition of the bench by name of judges, while reporting this judgment/order.

Mr. N.D. Chullai, learned Additional Advocate General appearing for the respondent-State submits that the delay of 46 days in preferring the appeal has not been adequately explained.

We find that three appeals [***WA No.44 of 2025, WA No.45 of 2025 and WA No.46 of 2025***] on an identical issue where the appellant herein is the respondent No.4 has been admitted and are posted for hearing on 8th August, 2025. The appellant herein is also similarly aggrieved by the impugned judgment and order which has cancelled the tender for a project, made by the appellant in this appeal and also the appellants in the connected appeals.

While hearing out the other appeals, we have to go into the merits of the matter.

Moreover, the delay in preferring this appeal is only 46 days. Hence, we are of the view that the interest of justice would be subserved if this appeal is also heard out on merits along with the other appeals, on condonation of the delay.

This application under Section 5 of the Limitation Act, 1963 is accordingly allowed.

We direct the Registry to register the appeal.

Let this appeal be heard out on the existing papers along with the other connected appeals on 8th August, 2025.

(W. Diengdoh)
Judge

(I.P. Mukerji)
Chief Justice

Meghalaya
04.08.2025
"Lam DR-PS"

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LAMPHRANG KHARCHANDY
Date: 2025.08.04 18:46:10 IST