Serial No. 01
Supplementary List

HIGH COURT OF MEGHALAYA AT SHILLONG

WA No. 65 of 2025

Date of order: 23.10.2025

Smti Sepalin Marak

…Appellant

- versus -

1. State of Meghalaya represented by the Director General of Police, Meghalaya, Shillong.

2. The Assistant Inspector General of Police (A), Meghalaya, Shillong.

3. The Sr Commandant, 2nd Batallion, Meghalaya Police, Georagre, West Garo Hills District, Meghalaya.

…Respondents

Coram:
Hon'ble Mr. Justice Soumen Sen, Chief Justice
Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioners : Mr S. Deb, Adv.

For the Respondent : Mrs T. Yangi B, AAG with
Mrs I. Lyngwa, GA
Mrs S. Bhattacharjee, GA

i) Whether approved for reporting in Law journals etc.: Yes/No

ii) Whether approved for publication in press: Yes/No

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

Although we do not find any reason to interfere with the impugned order on the ground that the husband of the appellant did not

challenge the resignation during his lifetime and it was only in the year 2021 that his letter of resignation was being questioned by the wife, we cannot overlook the fact that prima facie the writ petitioner could be entitled to gratuity.

2. Even according to the respondents, the deceased husband of the writ petitioner had rendered 17 years of continuous service and in view of Section 4 of Payment of Gratuity Act, 1972 he would be otherwise entitled to the payment of gratuity on his resignation.

3. We accordingly direct the respondent authorities to consider the prayer for releasing the gratuity as admissible in favour of the writ petitioner unless it has been paid in the meantime within four weeks from date.

4. The appeal succeeds in part.

5. There shall be no order as to costs.

(W. Diengdoh)
Judge

(Soumen Sen)
Chief Justice

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Date: 2025.10.24 10:16:57 IST