

Serial No.17
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 162 of 2024

Date of Order : 30.01.2025

Shri. Sabin Rabha

Vs. State of Meghalaya & Ors.

Coram:

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

Appearance:

For the Petitioner/Applicant(s) : Mr. A.Lal, Adv.
Mr. A.Brahma, Adv.

For the Respondent(s) : Mr. A.H.Kharwanlang, Addl.Sr.GA.

In the course of hearing, certain questions have arisen with regard to the date of appointment and the terms of engagement thereof, of the writ petitioner, Mr. A.H.Kharwanlang, learned Addl. Sr. GA, on behalf of the respondents prays for and is allowed one week's time to obtain instructions.

This instant case, from the submissions of the learned counsels and perusal of the materials on record, shows the undisputed fact that the writ petitioner had been in service of the respondent department for a considerable number of years, and that the grievance presently, is with the fact that on the last transfer order dated 27th October, 2023 being cancelled, his salary has been withheld and no other orders have been forthcoming. The stand taken by the respondents now, however, is that the writ

petitioner was never appointed to a sanctioned post and as such, has no claim to the entitlements as prayed.

Though this stand has been taken by the respondents on affidavit, however, in the same affidavit, two letters have been annexed appearing at Annexure-2 thereof, dated 23-05-2024 and 27-05-2024, indicating the fact that the petitioner was supposed to report back for duty in the office of the Assistant Executive Engineer, PWD (Roads), Kharkutta Sub-Division.

As the entire matter needs clarification, the writ petitioner is permitted to file an affidavit to clarify the facts as also the respondents in order to bring a closure to the matter.

List this matter on 14-02-2025.

Judge

Meghalaya
30.01.2025
"Samantha PS"