

Serial No. 01
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 281 of 2017 with
WP(C) No. 360 of 2017

Date of Order: 03.11.2023

Meghalaya College Teachers
Association

Vs.

State of Meghalaya

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. R. Mazumdar, Adv.

For the Respondent(s) : Mr. A. Kumar, AG. with
Mr. A.H. Kharwanlang, Addl. Sr. GA.
Ms. A. Thungwa, GA. for R 1 & 2.
Ms. P. Bhattacharjee, Adv. for R 3.
Ms. D.L. Marshilong, Adv. vice
Mrs. P.D. Bujarbaruah, Sr. Adv. for R 4&5.

Per W. Diengdoh, (J):

1. Heard Mr. R. Mazumdar, learned counsel for the petitioners/Meghalaya College Teachers Association. Also heard Mr. A. Kumar, learned Advocate General appearing on behalf of the State respondents No. 1 & 2 as well as Ms. P. Bhattacharjee, learned counsel for the respondent No. 3 and Ms. D.L. Marshilong, learned counsel vice Mrs. P.D. Bujarbaruah, learned senior counsel for the respondents No. 4 & 5.

2. Parties have made separate submission and contention with regard to WP(C) No. 281 of 2017 and also with regard to WP(C) No. 360 of 2017 respectively, which according to the learned counsel for the parties, may be taken up separately, though the matters are connected by a common order passed by the Hon'ble Supreme Court in Civil Appeal No(s) 5778-5779 of 2022.

3. As far as the issue raised in WP(C) No. 281 of 2017 is concerned, it appears that on the basis of the previous orders passed by this Court, steps have been taken by the State respondent, to which the petitioners have also taken part in the process to a certain extent. This pertains to the formation of a trust and the modalities for the same as far as the welfare of the members of the petitioners association are concerned. It is however submitted that there are more steps required to be taken, for which the parties may be allowed to file a report before this Court, particularly the State respondent.

4. The petitioners on the other hand, has also submitted through his counsel that he may be allowed to file a compilation of all relevant papers relating to the subject matter so as to enable this Court to peruse the same and to pass necessary orders thereon.

5. As regard WP(C) No. 360 of 2017, the learned Advocate

General has submitted that the State may be allowed to file the counter affidavit which has not been done so. He also submits that the issue of maintainability may be allowed to be taken up as far as WP(C) No. 360 of 2017 is concerned. It is further submitted that in compliance with this Court's order dated 05.10.2023, the State will also file a report in this regard.

6. Accordingly, at this juncture, as far as WP(C) No. 281 of 2017 is concerned, parties are allowed to place their point of view on record by filing their respective reports or papers and as far as WP(C) No. 360 of 2017 is concerned, the State respondent is allowed to file the counter affidavit.

7. On prayer made by the parties, list this matter after 2(two) weeks.

(B. Bhattacharjee)
Judge

(W. Diengdoh)
Judge

Meghalaya
03.11.2023
"D. Nary, PS"