

<u>Serial No. 02</u> <u>Supplementary List</u>

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 298 of 2025

Date of Order: 23.07.2025

Shri Karbius Lyngdoh & Ors. **Vs.** The Chairperson, Meghalaya
Lokayukta, Shillong & Ors.

Coram:

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

Appearance:

For the Petitioner(s) : Mr. S. Deb, Adv.

For the Respondent(s) : Mr. N. Syngkon, GA with
Mr. J.N. Rynjah, GA (For R 11,12 & 13)

Heard Mr. S. Deb, learned counsel for the petitioners.

Issue notice, returnable within 2(two) weeks.

Steps to be taken in the course of 2(two) days.

Mr. N. Syngkon, learned GA is present on behalf of the respondents Nos. 11, 12 & 13, so no further notice is required in respect of these respondents.

Mr. S. Deb, learned counsel for the petitioners has submitted the challenge in the present writ petition is directed against the impugned order dated 15.07.2025, whereby the respondent No. 1, i.e. the

Chairperson of the Meghalaya Lokayukta, Shillong has directed for investigation under Section 20(5) of the Meghalaya Lokayukta Act, 2014, against the petitioner and for submission of a report, within 6(six) months. The learned counsel further submits that respondent No. 1, (Meghalaya Lokayukta) has no jurisdiction to entertain the complaint, inasmuch as, the petitioners against whom the complaint has been made do not come within the definition of 'Public Servants' as given under Section 14 of the Act.

Mr. S. Deb, learned counsel has produced an earlier order of the Meghalaya Lokayukta dated 19.05.2022, wherein it has been held that the Chairman and the Secretary of the VEC are elected members of the job card holders and do not come within a purview of Section 14 of the Meghalaya Lokayukta Act or under clause (c) of Section 2 of Prevention of Corruption Act, 1988. He therefore, submits that as the petitioners are the Chairman and Secretary of the VEC of Nongrim Nongladaw, Ri-Bhoi District, the direction for investigation into the matter is illegal and without jurisdiction.

Mr. N. Syngkon, learned GA who has been arrayed as the proforma respondents also supports the submissions made by the learned counsel for the petitioners.

On hearing the learned counsel for the parties, though the earlier order dated 19.05.2022 passed by the Meghalaya Lokayukta is still in existence, in the considered view of this Court the matter requires further examination.

Accordingly, list this matter on 12.08.2025 for admission hearing.

Further, as a prima facie case for interim orders has been made out, further proceedings in the Complaint Case No. 7 of 2024, pending before the Chairperson, Meghalaya Lokayukta shall remain stayed, until further orders.

List accordingly.

JUDGE

Meghalaya
23.07.2025
"V. Lyndem-PS"