

THE HIGH COURT OF MEGHALAYA

W.P. (C) No.125/2015

Shri. Suraj Aley,
S/o Shri. Gautam Aley,
R/o 40 A Jhalupara Cantonment,
Shillong-2, Meghalaya

:::: Petitioner

- **Vs** -

1. The State of Meghalaya represented by the
Chief Secretary to the Govt. of Meghalaya, Shillong.
 2. The Deputy Commissioner,
East Khasi Hills District, Shillong.
 3. The Additional Deputy Commissioner,
East Khasi Hills District, Shillong
- :::: Respondents

**BEFORE
THE HON'BLE MR. JUSTICE T NANDAKUMAR SINGH**

For the petitioner	:	Mr. R Gurung, Adv,
For the respondents	:	Ms. S Bhattacharjee, GA
Date of hearing	:	26.05.2015
Date of Judgment	:	26.05.2015

JUDGMENT AND ORDER (ORAL)

As agreed to and prayed for, by the learned counsel appearing for the parties, this writ petition is taken up for disposal at the Motion stage itself.

2. Heard Mr. R Gurung, learned counsel for the petitioner and Ms. S Bhattacharjee, learned GA appearing for the State respondents.

3. The petitioner is aggrieved by the non-disposal of the application dated 29.04.2015 filed by the petitioner to the Additional Deputy Commissioner, East Khasi Hills District, Shillong for issuing a domicile

certificate in his favour. It is stated in the writ petition that the petitioner's educational qualification is matriculate. His father and uncle were born and brought up in the present address of the petitioner i.e. 40 A Jhalupara Cantonment, East Khasi Hills District, Shillong and also the petitioner was born and brought up at the present address.

For enrollment in the Indian Army, a candidate must be a domicile of India and is further required to produce a domicile certificate at the time of enrollment. Accordingly, the petitioner filed an application to the respondent No.3 for issuing the domicile certificate. It is also stated in para 9 of the present writ petition that at the time of filing the said application for issuing the domicile certificate in the name of the petitioner, there was bonafide typing mistake by typing "Ale" instead of "Aley" and whereas in the EPIC card of the father of the petitioner was reflected as "Ale" instead of "Aley" and in the EPIC card of the petitioner's mother, it was reflected as "Alley" instead of "Aley". Because of the said bonafide mistakes, the respondent No.3 refused to issue domicile certificate in favour of the petitioner unless and until, the said bonafide spelling mistakes were corrected. Accordingly, the petitioner had corrected the said bonafide mistakes and filed a new application dated 29.04.2015 to the Additional Deputy Commissioner, East Khasi Hills District, Shillong for issuing a domicile certificate in his favour.

4. Ms. S Bhattacharjee, learned GA appearing for the State respondents submits at the Bar that unless and until clear instruction is received, she may not be possible to assist the Court properly. However, Ms. S Bhattacharjee is not denying that the said application dated 29.04.2015 is still pending. Mr. R Gurung, learned counsel for the petitioner contended that this present writ petition is required to be disposed of as expeditiously as

possible inasmuch as, the petitioner has to submit his domicile certificate for his enrollment in the Indian Army within a short period. Considering the urgency involved in the present writ petition and also as agreed to by the learned counsel appearing for the parties, this writ petition is disposed of by directing the respondent No. 3 Additional Deputy Commissioner, East Khasi Hills District, Shillong to consider and dispose of the said application dated 29.04.2015 filed by the petitioner for issuing a domicile certificate. However, it is made clear that if personal hearing of the petitioner is required in disposing of the said application dated 29.04.2015, the Additional Deputy Commissioner may do so. It is made clear that the whole exercise for considering and disposing of the said application dated 29.04.2015 shall be completed within a period of one week from the date of receipt of a certified copy of this judgment and order. The petitioner has to approach the respondent No.3 along with a certified copy of this judgment and order and the said application dated 29.04.2015 for necessary action and compliance.

5. This writ petition is disposed of with the above directions.

JUDGE

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