

**IN THE HIGH COURT OF MEGHALAYA  
AT SHILLONG**

**WP(C) No. 196 of 2017**

Shri Md. Ziaul Rahman  
S/o Shri Mozibor Rahman  
R/o Shidakandi Village  
P.O. New Bhaitbari & P.S. Phulbari  
District: West Garo Hills, Meghalaya

**... Petitioner**

**- Versus -**

1. State of Meghalaya, represented by  
The Principal Secretary to the  
Government of Meghalaya,  
Sericulture and Weaving Department,  
Meghalaya, Shillong.
2. The Principal Secretary to the  
Government of Meghalaya,  
Personnel and Administrative Reform (B) Department,  
Meghalaya, Shillong
3. The Director of Sericulture and Weaving Department  
Meghalaya, Shillong.
4. The Joint Director of Sericulture and Weaving,  
West Garo Hills, Tura
5. The Zonal Officer (Sericulture)  
West Garo Hills, Tura.
6. The District Sericulture and Weaving Officer,  
West Garo Hills, Tura
7. The Sericulture Development Officer,  
Tikrikilla, West Garo Hills.

**... Respondents**

**BEFORE  
HON'BLE MR. JUSTICE V.P. VAISH**

**Present**

Mr. A.H. Hazarika, Advocate	:	Counsel for Petitioner
Mr. K. Barua, Advocate	:	Counsel for Respondents
Date of Hearing	:	26.10.2017
Date of Order	:	26.10.2017

## **ORDER**

By way of present petition, the petitioner seeks direction to the respondents to consider the case of the petitioner by conferring the status of Regular Casual Worker (RCW) and then to upgrade to Group-D post under the Department. The petitioner also seeks direction to the respondents to implement the scheme called “The Meghalaya Regular Casual Workers Scheme, 1996”.

2. The brief facts of the case are that the petitioner was appointed as Muster Roll (Labour)/Casual Worker for two months vide order dated 31<sup>st</sup> October, 2005 on fixed wages of Rs. 2,000/- pm at MNCCRC, Rajabala and the petitioner joined the post on 1<sup>st</sup> November, 2005. Subsequently, vide order dated 28<sup>th</sup> November, 2005 the petitioner was appointed as Night Chowkidar as Muster Roll (Skilled Labour) on daily wages at the rate of Rs. 85/- per day and the service of the petitioner was extended from time to time. It is also stated that the petitioner has been continuously working for more than twelve years but the concerned authority has not upgraded his status from Casual Worker to Regular Casual Worker (RCW) and to upgrade him to Grade-IV post.

3. Mr. A.H. Hazarika, learned counsel for the petitioner submits that the petitioner was assured by the concerned officer of the Department that his case will be considered for grant of status of Regular Casual Worker (RCW) and therefore, the petitioner does not want to pursue the present petition. He also submits that the petitioner may be permitted to withdraw the present petition with liberty to file fresh petition, in case need arises. Learned counsel for the petitioner further submits that an application for withdrawal of

the writ petition bearing MC(WPC) No. 201 of 2017 has been filed on 23<sup>rd</sup> October, 2017.

4. Mr. K. Barua, learned counsel for the respondents submits that he has no objection to the submission made by learned counsel for the petitioner.

5. In view of the facts and circumstances of the case and submission made by learned counsel for the petitioner as well as the application bearing MC(WPC) No. 201 of 2017, the writ petition is dismissed as withdrawn with the liberty as prayed.

**MC(WPC) No. 201 of 2017**

The application also stands disposed of.

**MC(WPC) No. 126 of 2017**

The application is dismissed being infructuous.

Dated : 26<sup>th</sup> October, 2017

**JUDGE**

V. Lyndem