

**HIGH COURT OF MEGHALAYA**  
**AT SHILLONG**

WP(C) No. 61 of 2019

Date of Decision: 29.04.2019

Kholilur Rahman

**Vs.** State of Meghalaya & 4 Ors.

**Coram:**

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

**Appearance:**

For the Petitioner(s) : Mr. M.F. Qureshi, Adv.

For the Respondent(s) : Mr. N.D. Chullai, AAG with  
Mr. A. Kharwanlang, GA (For R 1-4)

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| i)  | Whether approved for reporting in Law journals etc.: | Yes/No |
| ii) | Whether approved for publication in press:           | Yes/No |

**ORAL**

1) The brief facts of the case are that the re-constitution of the Managing Committee of the Bhaitbari Madrassa U.P. School vide order dated 03.10.2018 is sought to be challenged in the instant writ petition, on the ground that the re-constitution was not as per due process and in violation of the provisions of the Right of Children to Free and Compulsory Education Act, the Meghalaya Right of Children to Free and Compulsory Rules, 2011 and also the Guidelines issued by the Directorate of School Education and Literacy vide order dated 22.11.2012.

2) At the outset, Mr. N.D. Chullai, learned AAG assisted by Mr. A. Kharwanlang, learned GA for the respondents No. 1 to 4 has drawn the attention of this Court to the letter NO.

DSEL/EL/GB/Misc/27/2018/17, dated 03.12.2018 (Annexure D) of the writ petition, and submits that on the basis of the said letter the matter regarding the re-constitution of the Managing Committee of the Bhaitbari Madrassa U.P. School is being re-examined. He further submits that the same is under consideration and perhaps the instant writ petition can be closed by directing the concerned authorities i.e. the District School Education Officer, West Garo Hills District, Tura to decide the matter within a stipulated time.

3) Mr. M.F. Qureshi, learned counsel for the petitioner fairly submits that if the entire exercise is completed within 1(one) month the petitioner will have no grievance and will await the outcome of the decision that will be taken by the respondent No. 3.

4) After considering the submissions put forward by the parties, I propose to dispose of the writ petition at this stage with the following directions:-

a) As per the directions contained in the letter dated 03.12.2018 issued by the respondent No. 2, the respondent No. 3 shall decide the matter and pass a speaking order within 1(one) month from the date of receipt of the certified copy of this order. It is understood that adequate opportunity shall be given to the respondent No. 5 also to be heard in the proceedings.

b) Till such decision, the management of the School shall be by the Managing Committee that is in place as on today the 29.04.2019.

5) With the above directions, the writ petition is accordingly disposed of.

6) No order as to costs.

**JUDGE**

Meghalaya  
29.04.2019  
"V. Lyndem PS"