

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 258 of 2021

Date of Decision: 28.10.2021

Shri Challang M. Marak

Vs.

State of Meghalaya & Anr.

Coram:

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

Appearance:

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

For the Respondent(s) : Mr. B. Bhattacharjee, AAG with
Ms. I. Lyngwa, GA

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

JUDGMENT AND ORDER (ORAL)

1. The writ petitioner herein is aggrieved by the impugned order dated 15.01.2021 passed by the Commanding Officer, Special Force-10, where it is alleged that the order had been passed by the incompetent authority.

2. Mr. S. Dey, learned counsel for the petitioner contends that in the earlier round of litigation, this Court vide order dated 10.12.2020 passed in WP(C) No. 399 of 2020, had directed the respondent No. 2 to decide the petitioner's representation dated 11.09.2018 expeditiously and for the petitioner to present himself before the said respondent on 21.12.2020. Learned counsel further submits that the writ petitioner

accordingly complied with the directions of this Court. The petitioner presented himself before the Commanding Officer and the representation was taken up for consideration as directed by this Court. However, the order of disposal of the representation has been passed by a different officer and not by the officer to whom he had presented the same. In view of the matter, the learned counsel submits that the directions as contained in the order dated 10.12.2020 have not been carried out, and prays that the representation be decided afresh by the competent authority.

3. Mr. B. Bhattacharjee, learned AAG assisted by Ms. I. Lyngwa, learned GA for the State respondents has produced a communication dated 11.10.2021 wherein at para-4, the said contentions as raised by the learned counsel for the petitioner seems to be correct and the same admitted by the respondents. The said letter is accepted and made part of the record.

4. Considering the submissions at the bar by the learned AAG, this writ petition is disposed of with the directions that the writ petitioner shall present the representation for consideration afresh before the respondent No. 2 on 02.11.2021 at 11:00 A.M who shall decide the same expeditiously.

5. The writ petition is accordingly disposed of.

6. No order as to costs.

JUDGE

Meghalaya
28.10.2021
"V. Lyndem-PS"