

Serial No. 01 Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Review Pet. No. 9 of 2023

Date of Decision: 29.02.2024

Hedayatullah Kazi

Vs.

State of Meghalaya & Ors.

Coram:

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

Appearance:

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

For the Respondent(s) : Ms. S. Ain, GA

i)	Whether approved for reporting in Law journals etc:	Yes/No
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ii)	Whether approved for publication in press:	Yes/No
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JUDGMENT AND ORDER (ORAL)

1. This review application is for review of the Judgment and Order dated 28.09.2023 passed in WP(C) No. 287 of 2023 and WP(C) No. 326 of 2023, wherein this Court had directed that with regard to the approval of any fresh Governing Body of the College, the respondent

No. 2, shall dispose of the same in accordance with law, and to adhere to the Assam Aided College Management Rules, 1976.

2. Mr. S. Chanda, learned counsel for the review petitioner has submitted the fact that the Assam Aided College Management Rules, 1976 is not applicable to the writ petitioner's College, inasmuch as, the same is receiving lump sum grant, was not brought to the notice of this Court, as such the same has occasioned the order, of which a review is sought for.

3. Ms. S. Ain, learned GA for the respondents submits that the submission of the learned counsel petitioner is correct, inasmuch as, with regard to Colleges receiving lump sum grant, these Rules is not applicable. She however, submits that in the normal course of business with regard to dealing with these Colleges, the Director of Higher and Technical Education (respondent No. 2) is the competent authority for granting of approvals, for re-constitution of any Governing Body. She further submits that with regard to the petitioner's College, the approval is not forthcoming in view of the anomalies which have been detected, and which are being looked into.

4. In this view of the matter, as it is not disputed as to the non-application of the Rules, the observation in the order dated 28.09.2023 as

far as Para-8 is concerned, shall not form part of the order any longer and the same shall stand reviewed and deleted therefrom.

5. Accordingly, this review petition is allowed to the extent indicated above and disposed of.

JUDGE

Meghalaya
29.02.2024
"V. Lyndem-PS"