



Serial No.05
Daily List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WA No.4/2026

Date of order: 24.03.2026

1. Shri Emanuel Lamare

2. Imjing Mut Sten

3. Shri Ram Dkhar

..... Petitioner

Vs.

1. The State of Meghalaya, represented by the Commissioner and Secretary (Civil Defence & Home Guards) Department, Government of Meghalaya, Shillong.

2. The Secretary to the Govt. of Meghalaya, PHE Department, Meghalaya, Shillong.

3. The Chief Engineer, PHE, Meghalaya, Shillong.

4. The Executive Engineer, (PHE) Rural Water Supply Division, Jowai, West Jaintia Hills, Meghalaya.

5. The District Home Guards Commandant, West Jaintia Hills, District, Meghalaya. Respondents

Coram:

Hon'ble Mrs. Justice Revati Mohite Dere, Chief Justice
Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Appellants : Mr. S.D. Upadhaya, Adv

For the Respondent : Mr. N.D. Chullai, AAG with
Ms. Z.E. Nongkynrih, GA



JUDGMENT: (per the Hon'ble, the Chief Justice) (Oral)

Heard learned counsel for the parties.

2. By the aforesaid appeal, the appellants have impugned the judgment and order dated 18th July, 2025, passed by the learned Single Judge, in WP (C) No.220 of 2023. By the said impugned judgment and order, the Court directed the respondents to pay each of the petitioners a sum of ₹1 lakh each, as compensation.

3. The aforesaid appellants had filed a petition, being WP (C) No.220 of 2023, before the learned Single Judge assailing their discontinuance from service and a prayer that they be allowed to serve till the age of retirement. By the said petition, the appellants also sought quashing of the impugned letter dated 1st December, 2022 issued by the respondent No.3 and letter dated 19th June, 2023 issued by the respondent No.5.

4. The main grievance of the learned counsel for the appellants was that there was no formal order of disengagement and as such, the appellants should be deemed to be in service till their respective retirement dates. The learned Single Judge after



considering the submissions of the respective parties, in paragraph 11, has observed as under:

“11. In the circumstances therefore, considering the fact that, had the petitioners continued in service from the date of disengagement till retirement, the amount of salary payable would be over Rs.7 Lakhs each, and considering the fact that they were never served with formal orders of disengagement, and also that they have not rendered any service for this period, this Court deems it fit and proper in the interest of justice and equity to direct the respondents to pay the petitioners a sum of Rs.1 Lakh each, as a compensatory amount to bring a quietus to the matter.”

5. The learned Single Judge after noting several orders passed in the petition before it, observed that the Court deemed it fit having regard to the facts, to provide compensatory amount taking into account the fact, that the appellants had rendered 36 years of service. It is not in dispute that the appellants in the normal course would have retired in February, March and April, 2025. It is also not in dispute that the appellants have retired since then. The only issue is, that the appellants were not served with a formal order of disengagement and that they were informed of their disengagement by a letter dated 19th June, 2023.



6. Keeping in mind of the aforesaid fact, the learned Single Judge in order to balance equity and in the interest of justice, rightly directed the respondents to pay the appellants ₹1 lakh each, as compensatory amount to bring quietus to the matter.

7. We find no infirmity in the said judgment and order dated 18th July, 2025. Accordingly, the appeal stands dismissed and as such disposed of.

8. Needless to state, that the compensation costs as directed by the learned Single Judge vide judgment and order dated 18th July, 2025, be deposited directly in the respondents' accounts/cheque of the said amount be handed over to the respondents, if not done, within three weeks from today. List the appeal on **21st April, 2026** for ensuring payment has been made to the respondents.

(W. Diengdoh)
Judge

(Revati Mohite Dere)
Chief Justice