



Serial No. 01
Supp. List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WA. No. 8 of 2018

Date of Order :24.05.2019

The President, Managing Committee, Vs. Miss. Sutapa Choudhury
Smit Higher Secondary School & Ors. & Ors.

Coram:

Hon'ble Mr. Justice Mohammad Yaqoob Mir, Chief Justice
Hon'ble Mr. Justice H.S.Thangkhiew, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. H.L.Shangreiso, Adv.
For the Respondent(s) : Mr. K.C.Gautam, Adv. for R 1.
Mrs. S.Bhattacharjee, GA for 2-4.

1. This appeal is directed against the judgment dated 27-09-2018 passed in WP(C). No. 133/2017 captioned, Smti. Sutapa Choudhury Vs. State of Meghalaya & Ors.

2. In terms of the judgment, the Managing Committee of the School (appellant herein) was directed to allow the writ petitioner to resume her duty and to return her entire salary deducted, in compliance whereof writ petitioner has been allowed to resume her duty but however, the amount for the period she was not allowed to resume duty to the extent it has been deducted from her salary has not been paid.

3. According to learned counsel for the appellant the financial health of the School is not good, that apart, writ petitioner has not rendered any service for that period an amount of Rs. 25,000/- monthly was deducted from her salary, the said amount was paid to the teacher who was engaged by way of arrangement for better interest of the students.

4. It is quite clear that writ petitioner had submitted her joining report but was prevented for a long time, as such was forced to file the writ petition.



5. On previous two hearings when the matter was being considered, it was pointed out that the total amount as was deducted from the salary of the writ petitioner has been worked out at Rs. 6,00,000/-, while for balancing the respective interest of both the School as well as the writ petitioner, a suggestion was given to both parties to settle the matter amicably. Finally, it was suggested to both parties that they settle it for an amount of Rs. 3,00,000/-.

6. Today both the learned counsel for the parties submit that they have taken the instructions from their respective clients who have agreed to settle the matter for an amount of Rs. 3,00,000/- instead of Rs. 6,00,000/- which shall be paid to writ petitioner in three installments within three months.

7. We hope that the settlement reached will have effect of creating cordial relations between the writ petitioner and the respondents. Basically, the settlement in effect has an object to mitigate the hostility and to ensure smooth functioning of the School and smooth discharge of duty by the writ petitioner.

8. In view of the respective submissions of the learned counsel for the parties and the settlement reached, this appeal shall stand disposed of, the judgment under appeal to the extent indicated shall stand modified in its effect. The settlement reached will remain confined to the disposal of this writ appeal and not be quoted as a precedent.

9. Disposed of as above.

(H.S.Thangkhiew)
Judge

(Mohammad Yaqoob Mir)
Chief Justice

Meghalaya
24.05.2019
"S.Rynjah PS"