

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP (C) No.19 of 2021

Date of Order: 03.02.2021

Managing Committee of Rai
Bahadur Anupchand Hindi
Secondary School.

Vs State of Meghalaya & 3 Ors.

Coram:

Hon'ble Mr. Justice Ranjit More, Judge

Appearance:

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

For the Respondent(s) : Mr. B. Bhattacharjee, AAG. With
Ms. Z.E. Nongkynrih, GA.

Heard both the learned counsel for the respective parties.

Petition is filed by the managing Committee through the Secretary of Rai Bahadur Anupchand Hindi Secondary School, Keating Road, Shillong-793001. The said managing Committee was constituted and approved by the District School Education Officer, East Khasi Hills District, Shillong for the period of 3 (three) years w.e.f. 04-08-2017 to 03-08-2020. In the month of August, the District School Education Officer, East Khasi Hills District, Shillong extended the term of the petitioner-managing Committee till 03-11-2020. By separate order dated 14-10-2020 District School Education Officer, East Khasi Hills District, Shillong again extended the term of the petitioner for the period of another 3 (three) months w.e.f. 04-11-2020 to 03-02-2021 or until a new managing Committee is approved whichever is earliest.

It is the case of the petitioner that the new managing Committee was reconstituted and the proposal was sent to the District School Education Officer, East Khasi Hills District, Shillong on 30-10-2020. The said proposal is not disposed of by the District School Education Officer, East Khasi Hills District, Shillong. Therefore, petitioner has approached this Court seeking

direction to the respondents No.2 & 3 to pass an order and grant approval to the petitioner-managing Committee w.e.f. 04-02-2021 till 03-02-2024.

Mr. B. Bhattacharjee, learned AAG appearing for the respondents, having taken instruction states that after receipt of the petitioner's proposal for granting approval to the reconstituted managing Committee of the said School, another proposal was received on 27-11-2020 for reconstitution of the managing Committee from Shri. Mahabir Prasad Singhania, President R.B.A. Past pupils Association. Mr. B. Bhattacharjee, learned AAG submits that since there are rival claims, petitioner's proposal could not be decided earlier. He, however, submits that both the proposals will be considered and an appropriate order would be passed in accordance with the law. He seeks some time in this regard for taking necessary instructions.

Mr. M. F. Qureshi, learned counsel for the petitioner submits that he would like to implead Shri. Mahabir Prasad Singhania, President R.B.A. Past pupils Association since he had filed the proposal for reconstitution of the managing Committee since Shri. Mahabir Prasad Singhania would be affected by the outcome of the petition; I grant leave to the petitioner to amend the cause-title of the petition so as to implead Shri. Mahabir Prasad Singhania, President R.B.A. Past pupils Association as a respondent No.5. Necessary amendment shall be carried out within the period of 1 (one) week. The petitioner thereafter shall serve the copy of the petition on the added respondent immediately.

For further hearing this petition is adjourned to 24-02-2021.

Meanwhile, the respondents No.2 and 3 shall file their affidavit-in-reply. Since the tenure of the petitioner-managing Committee is expiring today and the respondents No.2 & 3 have not decided to accord the sanction to either of the proposals, by way of *ad-interim relief*, I direct the respective parties to maintain status-quo as to the existing managing Committee, till returnable date.

Judge

Meghalaya
03.02.2021
"Biswarup, PS"