



Serial No. 23
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 417 of 2021

Date of Decision: 03.05.2023

Smti Onjillish M. Sangma

Vs. State of Meghalaya & Ors.

Coram:

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

Appearance:

For the Petitioner(s) : Mr. P.T. Sangma, Adv.

For the Respondent(s) : Mr. A.H. Kharwanlang, GA

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 petitioner who was appointed as a Pre-Primary School Teacher is before this Court seeking similar treatment as has been given to the writ petitioners in WP(C) No. 281 of 2019. The petitioner's case is based solely on the contention that she is similarly situated with the



writ petitioners in the said writ petition, whereby this Court in the Division Bench had granted them relief by allowing arrear salary for the period w.e.f. 21.04.2015 to 10.12.2018.

2. Mr. P.T. Sangma, learned counsel for the petitioner submits that though the petitioner was not a party in the earlier proceedings, but however, her situation of service being identical to the said petitioners the same consideration should be given by the respondents, inasmuch as, the order dated 18.03.2021 covers the case of the petitioner in all respects.

3. Mr. A.H. Kharwanlang, learned Addl. Sr. GA, has drawn the attention of this Court to the order dated 18.03.2021 and submits that the order will have no application to the case of the petitioner, inasmuch as, the same was arrived at in terms of an amicable settlement between the parties in the writ petition itself. He further submits that there is no question of the writ petitioner being covered by the said judgment and that on this ground alone, the writ petition deserves no consideration.

4. I have heard the learned counsel for the parties and examined the materials on record.

5. It is not disputed that the petitioner is a Pre-Primary School Teacher, however, as submitted by the learned Sr. GA and a perusal of the order dated 18.03.2021 passed in WP(C) No. 281 of 2019,



categorically limits the application of the order to the parties to the *lis*.

For easy reference the said Paragraph is reproduced hereinbelow:-

“A bare perusal of the said memorandum/letter dated 16th March, 2021, reveals that a statement showing calculation of arrear salary of 186 Pre-Primary teachers in the State w.e.f. 21st April, 2015 till 10th December, 2018, amounting to Rs.4,38,96,000/- has been annexed thereto. This amount is being offered by the State Government for having the matter amicably settled between the parties to this *lis*. Let a copy of the memorandum/letter dated 16th March, 2021, along with the annexure showing calculation of arrear salary of 186 Pre-Primary teachers in the State w.e.f. 21st April, 2015 till 10th December, 2018, be kept on record.”

6. In view of the observation made above, this writ petition is devoid of merit, as the said order does not apply to the writ petitioner. However, the petitioner shall be at liberty to prefer a proper representation before the respondents for consideration of her individual case.

7. This writ petition stands closed and is accordingly disposed of.

8. No order as to costs.

JUDGE

Meghalaya
03.05.2023
“V. Lyndem-PS”