



Serial No. 01
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 197 of 2023

Date of Hearing: 15.05.2026

Date of Decision: 28.07.2026

1. Shri. George Charlestone Basaiawmoit
S/o Shri. P. Nongneng

2. Shri. Lamborlang Kharपुरि
S/o Shri. R. Dorphan

3. Smti. Banriline Kharumnuid
D/o (L) S. Kharumnuid

4. Smti. Liza Wahlang
W/o Late Welson Khongwir
Newly substituted as Petitioner No. 4
vide Hon'ble Court's order dated 07.05.2026
passed in M.C[W.P (C) No. 61 of 2025]

5. Shri. Tonic Thawmuit
S/o (L) W. Sohtun

6. Shri. Sharles Lyngdoh
S/o Shri. D. Mawlieh

7. Shri. Polin Thabah
S/o (L) M. Lyngdoh

8. Shri. Swarensing Nongbri
S/o Shri. D. Nongdhar

9. Shri. Baristarwell Surong
S/o (L) W. Mukhim

10. Shri. Banroi Chyne
S/o Smti. M. Chyne



11. Shri. Shanborlin Mawblei
S/o (L) S. Kharhujon

12. Shri. Plester Kharumnuid
S/o (L) T. Kharbani

13. Smti. Janalin Nongkynrih
D/o Shri. E.D. Lyngdoh

14. Smti. Sheetal Singh
D/o Shri. Sulkan Singh

15. Shri. S. Marbaniang
S/o (L) K. Kharkongor

16. Shri. Daniel Pasi
S/o Shri. D. Byrwa

17. Shri. Grass Marbaniang
S/o Shri. F. Bushan

18. Havamon Dympep
W/o (L) K. Manih
Newly substituted as Petitioner No. 18
vide Hon'ble Court's order dated
07.05.2026 passed in M.C[W.P (C) No. 61 of 2025]

19. Smti. Juwanita Malngiang
W/o (L) K. Wanniang
Newly substituted as Petitioner No. 19
vide Hon'ble Court's order dated
23.08.2023 passed in M.C[W.P (C) No. 185 of 2023]

20. Shri. Anthony Lyngdoh
S/o (L) K. Snaitang

21. Smti. Rupa Gurung
D/o (L) P.B. Gurung

:::Writ Petitioners



-Vs-

1.North Eastern Hill University
Represented by the Vice-Chancellor
NEHU Campus, Shillong,
Meghalaya- 793022

2.The Registrar, North Eastern Hill University,
NEHU Campus, Shillong, Meghalaya – 793022

3.Assistant Registrar (Admn), North Eastern Hill
University, NEHU Campus, Shillong,
Meghalaya- 793022

4.Assistant Registrar (Estt – I), North Eastern Hill
University, NEHU Campus, Shillong,
Meghalaya – 793022

5.Deputy Registrar, (Estt – I), North Eastern Hill
University, NEHU Campus, Shillong,
Meghalaya – 793022

6.Section Officer, Estt. (Apptt), North Eastern Hill
University, NEHU Campus, Shillong,
Meghalaya – 793022

:::Respondents

Coram:

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

Appearance:

For the Petitioner/Appellant(s) : Mr. H.L. Shangreiso, Sr. Adv. with
Mr. T. Dkhar, Adv.

For the Respondent(s) : Mr. S. Sen, SC NEHU



i)	Whether approved for reporting in Law journals etc.:	Yes/No
ii)	Whether approved for publication in press:	Yes/No

JUDGMENT AND ORDER

1. The writ petitioners who are engaged as Pro-rata Casual Labourers on daily wage basis by the respondents in different departments of NEHU, by way of the instant writ petition have prayed for quashing and setting aside of an impugned letter dated 20.04.2011, whereby the petitioners were to be paid wages on actual days' basis without additional payment of 1/6th day for the month of March 2011. The case put up by the petitioners are that they were re-engaged for 89(eighty-nine) days, when the actual practice is 90(ninety) days, and that the service rendered is continuous in nature without any break, which has resulted in an arbitrary deduction of the amount payable.

2. Mr. H.L. Shangreiso, learned Senior counsel assisted by Mr. T. Dkhar, learned counsel on behalf of the petitioners has submitted that the impugned action of the respondent University by the order dated 20.04.2011, introducing an artificial break of one-day, thereby reducing 90(ninety) days of service to 89(eighty-nine) days is contrary to law laid down by the Hon'ble Supreme Court. The learned Senior counsel has



placed reliance in the judgments of *Haryana State Electronic Development Corporation Ltd. vs. Mamni* reported in (2006) 9 SCC 434 and *Duli Chand & Ors. vs. Union of India & Ors.* reported in (1992) 2 SCC 28, and has submitted that by a subsequent order dated 15.06.2011, whereby in the case of casual labourers working in a 5(five) days a week, an additional payment of wages for 1/6th of the total number of days has been allowed, the same he submits, runs contrary to an Office Memorandum dated 07.06.1988, wherein it has been stipulated that casual workers be given one paid weekly off after 6(six) days of continuous work. The deduction, it is submitted is highly unreasonable and has caused loss to the petitioners. It is also prayed by the learned Senior counsel that the relief be moulded by also taking into consideration, the subsequent amended order dated 15.06.2011, which was brought on record by the respondents in the counter affidavit.

3. Mr. S. Sen, learned counsel on behalf of the respondent University submits that the writ petitioners have been paid their wages, as per their entitlement and in accordance with the terms and conditions contained in their engagement order, and therefore, the alleged deduction of wages as stated in the writ petition is not correct. It is then submitted that the impugned letter dated 20.04.2011, had been replaced by order dated 15.06.2011, wherein casual labourers working for 5(five) days a week, an



additional payment of wage for 1/6th of the total number of days, the casual labourers actually worked in a month be made with effect from March, 2011. With regard to the Office Memorandum dated 07.06.1988, it has been submitted that as per the said O.M., the payment of casual workers was to be restricted for the days, they actually performed duties with a paid weekly off, and that in addition they would get paid for national holidays, if it fell on a working day.

4. The petitioners it is submitted have been paid their wages on the basis of the actual days of work based on performance certificate and since the University has a five-day week, the casual labourers after 5(five) days of work are granted paid wages of an additional day of the week, as indicated in the order dated 15.06.2011. With regard to the attendance register produced by the Petitioners No. 2 and 3, it is submitted that serious contradictions are present, which give rise to disputed facts, such as, the same being signed on all 7(seven) days of the week by the Petitioner No. 2, whereas, the same was never signed by the Petitioner No. 3 on Saturday and Sunday. The prayer that the petitioners are entitled for wages for all the 7(seven) days in a week, he submits is unsustainable, moreso, as the relief claimed is with effect from the year 2011.

5. The learned counsel has then strongly argued that the writ petition has been filed after a lapse of 13(thirteen) years from when the cause of



action arose, which clearly shows that their claims are unjustified. It is further submitted that, apart from the fact that a writ court cannot adjudicate serious question of facts, as seen by the attendance register, the instant writ petition is not maintainable in itself on the ground of delay and laches. In support of the arguments on delay, the learned counsel has placed the decision of ***WG CDR A.U. Tayyaba (Retired) & Ors. vs. Union of India & Ors.*** reported in ***(2023) 5 SCC 688*** and ***Bichitrananda Behera vs. State of Orissa & Ors.*** reported in ***2023 SCC OnLine SC 1307***.

6. This Court on hearing the learned counsel for the parties, and on examination of the materials as placed, at the outset notes that the impugned letter dated 20.04.2011, was issued more than 13(thirteen) years ago, and further the subsequent order dated 15.06.2011, has not been impugned, but has been sought to be challenged by way of the rejoinder affidavit. The order dated 15.06.2011, being vital to the issue, the same having not been challenged, at the time of its issuance, and the same now being sought to be questioned by way of the rejoinder affidavit, clearly indicates severe laches on the part of the petitioners. Apart from this glaring fact, the introduction of the attendance sheet which are evidentiary in nature, which also has given rise to disputed facts, makes it difficult for this Court to adjudicate the matter in a writ proceeding.



7. Though larger questions may remain, this Court cannot ignore the fact that the writ petition has been presented after a long delay. Thus, without lingering with the matter any longer or alluding to the authorities placed by the respective parties, this writ petition on the ground of delay and laches, apart from no proper challenge made to the substantive order dated 15.06.2011, stands dismissed and is accordingly disposed of.

Judge

Meghalaya
28.07.2026
“D.Thabab-PS”