

## 2025:MIhc:182-Db vs Union Of India on 18 March, 2025

Serial No.01  
Daily List

2025:MLHC:182-DB

### HIGH COURT OF MEGHALAYA AT SHILLONG

W.A. No.12 of 2023

Date of CAV :20.02.2025

Date of Decision:18.03.2025

1. 5019623, Hav (Clk), Prem Singh
2. 5015473, Hav (Clk), Vinaya Kumar G
3. 5015565, Hav (Clk), P C Zoram Chhana
4. 5019291, Hav (Clk), Ajab Singh
5. 5021040, Hav (Clk), Sangluaia
6. 5025269, Hav (Clk), Aonugshi Jamir
7. 5025338, Hav (Clk), Amarjit Singh
8. 5025356, Hav (Clk), Pankaj Kumar
9. 5025358, Hav (CIk), Avanish Kumar
10. 5025403, Hav (CIk), Umesh Kumar
11. 5027597, Hav (Clk), Dinesh Chauhan
12. 5021056, Hav (Clk), Rajendra Kumar
13. 5025405, Hav (Clk), Jay Karan
14. 5025300, Hav (Clk), Kamlesh Kumar
15. 5015022, Hav (Clk), Rajindra Kumar
16. 5015625, Hav (CIk), Devendra Chauhan
17. 5025396, Hav (Clk), Samar JoytiBoro
18. 5027705, Hav (Clk), Hari S Das
19. 5028459, Hav (Cik), Vinay Yadav
20. 5018017, Hav (Clk), Solomon Lalropui Hmar
21. 5022863, Hav (Clk), Gyanendra Kumar
22. 5022949, Hav (Clk), Omkar Nath Sharma
23. 5025351, Hav (Clk), Ashvani
24. 5020999, Hav (Clk), Anil Kumar
25. 5021022, Hav (Clk), Sagolshem Ajit Singh
26. 5021416, Hav (Clk), Ravi Sharma
27. 5025378, Hav (Clk), Sanjoy Singha
28. 5025384, Hav (Clk), Jitendra Kumar
29. 5025401, Hav (Clk), Surjeet Singh
30. 5025582, Hav (Clk), Shyam Lal
31. 5025590, Hav (CIk), Jitendra Singh
32. 5025595, Hav (Clk), Mukesh Kumar
33. 5027733, Hav (CIk), Keisham Herachandra Singh

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34. 5028466, Hav (Clk), Shivan Upadhya
35. 5020805, Hav (Clk), Ashish Kumar
36. 5018086, Hav (CIk), Girish G
37. 5021009, Hav (Clk), Y Mhonyoma Tungoe

38. 5025363, Hav (Clk), Jintu Mani Das
39. 5025575, Hav (Clk), Manas Borah
40. 5027739, Hav (Clk), Vishal Kumar Singh
41. 5028467, Hav (Clk), Bikash Nayak
42. 5028473, Hav (CIk), Sangey Tamang
43. 5021031, Hav (Clk), Modi Ram Gurjar
44. 5022808, Hav (Clk), Imran Alam
45. 5025380, Hav (Clk), Lucky Kumar
46. 5027794, Hav (CIk), Vishal Kumar Sharma
47. 5016974, Hav (Clk), Ashok Kumar
48. 5023027, Hav (Clk), N Khatnei
49. 5023402, Hav (Clk), Devendra Singh
50. 5025268, Hav (Clk), Vijay Kumar Sharma
51. 5025532 Hav (Clk), Laishram Sanathosingh
52. 5027666, Hav (Clk), Gagan Kumar Tiwari
53. 5028487, Hav (Clk), Sinruwg Welngam Anal
54. 5028488, Hav (Clk), Sarabindu Ghosh
55. 5021005, Hav (Clk), Mithilesh Prasad
56. 5021078, Hav (Clk), Gaurav Yadav
57. 5025362, Hav (CIk), Hemant Kumar Thapa
58. 5025376,Hav (Clk), Waikhom Malempunba Meitei
59. 5027683, Hav (Clk), Jitendra Kumar
60. 5016745, Hav (Clk), Roshan Thapa
61. 5020007, Hav (Clk), Anatha Krishna MR
62. 5020863, Hav (Clk), Pamleiyo Hayam
63. 5021087, Hav (Clk), Chandrakesh Mishra
64. 5025387, Hav (Clk), Devendra singh
65. 5027691, Hav (Clk), Amrendra Kumar
66. 5028493, Hav (Clk), Pankaj Kumar
67. 5015255, Hav (Clk), Anil Kumar
68. 5021104, Hav (Clk), Rahul Roa
69. 5022783, Hav (Clk), Surjeet Kumar
70. 5025347, Hav (Clk), Hajari Singh
71. 5027701, Hav (Clk), Mukesh Yadav

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72. 5028495, Hav (CIk), Jitendra Signh
73. 5028502 Hav (Clk),Longshithung Yanthan
74. 5015225, Hav (Clk), Y Chalamba Kumar Singh
75. 5016614, Hav (Clk), Dhanajoy Barhma
76. 5016779, Hav (Clk), Chandan Kumar Singh
77. 5017111, Hav (Clk), Deepak singh Rana
78. 5018198, Hav (Clk), Pankaj Choudhary
79. 5021442, Hav (Clk), Surender Singh Kholiya
80. 5025374, Hav (Clk), Nandigam Lingaraju
81. 5027803, Hav (Clk), Suraj Kumar Shah
82. 5028518, Hav (Clk), Vinayak Belgundkar
83. 5016797, Hav (Clk), Vikash Rai
84. 5019012, Hav (Clk), Bimal Gorain
85. 5020050, Hav (CIk), Amit Thripathi

86. 5021094, Hav (Clk), Abhaya Kumar Choudhary
87. 5022922, Hav (Clk), Medo Angami
88. 5027592, Hav (Clk), Santosh Kumar Pandit
89. 5028524, Hav (Clk), Suraj Rai
90. 5016637, Hav (Clk), Shyam Kumar Chhetri
91. 5019669, Hav (Clk), Abraham Kez
92. 5027696, Hav (Clk), Satrughan Singh
93. 5028397, Hav (Clk), Rohit Kumar
94. 5022851, Hav (Clk), Sujay Das
95. 5023328, Hav (Clk), Vishal Polhrel
96. 5016801, Hav (Clk), Prem Kumar Chhetri
97. 5017024, Hav (Clk), Govind Kumar
98. 5017281, Hav (Clk), Suman Newar
99. 5019645, Hav (Clk), Praveen Kumar
100. 5020645, Hav (Clk), Samir Khatri
101. 5023023, Hav (Clk), Vaibhav Yadav
102. 5025331, Hav (Clk), Nijardhan Swargiary
103. 5025333, Hav (Clk), Md. Jahangir Raza
104. 5025359, Hav (Clk), Bittu Pradhan
105. 5027635, Hav (Clk), Mihir Kumar Das
106. 5017544, Hav (Clk), Ronal Tamang
107. 5018105, Hav (Clk), SK Hasanuzzaman
108. 5019097, Hav (Clk), Jitendra Sharma
109. 5019504, Hav (Clk), Narendra Singh Bhandari

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110. 5021091, Hav (Clk), Raju Shill
111. 5025322, Hav (Clk), Sunny Rai
112. 5025386, Hav (Clk), Jaideep Singh Negi
113. 5027641, Hav (Clk), Nitin Rajauriya
114. 5018167, Hav (Clk), Dipankar Biswas
115. 5019642, Hav (Clk), Harish Chandra
116. 5017280, Hav (Clk), Hasnain Ali
117. 5020927, Hav (Clk), Pronot Chakma
118. 5025250, Hav (Clk), Anil Kumar Kaunr
119. 5025252, Hav (Clk), Dharmeshwar Goyary
120. 5025265, Hav (Clk), Ravi Thakur
121. 5025408, Hav (Clk), Rahul Yadav
122. 5027645, Hav (Clk), Amit Kumar Dubey
123. 5020997, Hav (Clk), Jarnail Singh
124. 5021090, Hav (Clk), Ombir
125. 5023385, Hav (Clk), Tripurari Mishra
126. 5021048, Hav (Clk), Janak Bahadur Sunar
127. 5025349, Hav (Clk), Naveen Kumar
128. 5025407, Hav (Clk), Bhagavati Prasad Yadav
129. 5027729, Hav (Clk), Satish Kumar
130. 5028546, Hav (Clk), Ojha Ajit Kumar
131. 5028547, Hav (Clk), Gobin Kumar Chhetri
132. 5020913, Hav (Clk), Suraj Debbarma
133. 5021075, Hav (Clk), Krishna Kukreti

134. 5022775, Hav (Clk), Rajan Rai
135. 5018955, Hav (Clk), Som Bir
136. 5025260, Hav (Clk), Alezo Keyie
137. 5025263, Hav (Clk), Rakesh Sinha
138. 5025270, Hav (Clk), A Nil Chandra Singha
139. 5025280, Hav (Clk), Gouminsang Gangte
140. 5025345, Hav (Clk), Rahul Kumar
141. 5025361, Hav (Clk), Sachin Nandal
142. 5025394, Hav (Clk), Vijai Kumar Darjee
143. 5025567, Hav (Clk), Prateek Rai
144. 5027742, Hav (Clk), Rakesh Okram
145. 5020291, Hav (Clk), Jitendra Singh
146. 5020872, Hav (Clk), Khamsuanlien Zou
147. 5021043, Hav (Clk), Parveen Kumar

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148. 5021046, Hav (Clk), Sombir
149. 5021061, Hav (Clk), D KatanouThangal
150. 5027780, Hav (Clk), Kolambe Hukumchand
151. 5028548, Hav (Clk), Son Singh Rawat
152. 5021000, Hav (Clk), Jay Singh
153. 5022802, Hav (Clk), Sambu Basfor
154. 5022815, Hav (Clk), Gurmehar Singh
155. 5025402, Hav (Clk), Jinu Vijay K
156. 5015666, Hav (Clk), Vikash Kumar Singh
157. 5017698, Hav (Clk), Raju Khuraijan
158. 5019404, Hav (Clk), Namin Kumar
159. 5019655, Hav (Clk), Anil Kumar
160. 5023010, Hav (Clk), Durga Bahadur Chhetri
161. 5025264, Hav (Clk), Vijay Kumar Singh
162. 5025290, Hav (Clk), Prakash Tamang
163. 5025330, Hav (Clk), Abujam Kiran Kumar Singh
164. 5025340, Hav (Clk), Udaybeer Singh
165. 5025392, Hav (Clk), Shubham Singh
166. 5027827, Hav (Clk), Barun Tiwari
167. 5017041, Hav (Clk), Manjeet Kumar
168. 5021065, Hav (Clk), Yumnam Henba
169. 5025364, Hav (Clk), Bachiter Singh
170. 5025397, Hav (Clk), A Rishikanta Singh
171. 5025406, Hav (Clk), Sanjay Kumar Paswan
172. 5025577, Hav (Clk), Jakir Husen
173. 5020105, Hav (Clk), Mukesh Kumar Sharma
174. 5021011, Hav (Clk), Sunil Yadav
175. 5021073, Hav (Clk), Minduboyiha Santhosh K
176. 5023401, Hav (Clk), Prakash Kumar Jha
177. 5027790, Hav (Clk), Bishwas Kumar
178. 5028552, Hav (Clk), Ravindra Kumar
179. 5028553, Hav (Clk), Pranab Kumar Mandal
180. 5016814, Hav (Clk), Mukesh Kumar Thakur
181. 5017285, Hav (Clk), Sanjay Thapa

- 182. 5018176, Hav (Clk), Umesh Kumar
- 183. 5019282, Hav (Clk), Banty Kr. VaidBalmiki
- 184. 5021070, Hav (Clk), Bhuban Singh Mehra
- 185. 5022895, Hav (Clk), Pooran Singh

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- 186. 5025301, Hav (Clk), Kazipsing Makan
- 187. 5017035, Hav (Clk), Gajendra Singh
- 188. 5021047, Hav (Clk), Anoop kumar Joshi
- 189. 5014916, Hav (Clk), Rakesh Singh
- 190. 5020039, Hav (Clk), Niraj Singh
- 191. 5023071, Hav (Clk), Ningthoujam Ibomcha Singh
- 192. 5025285, Hav (Clk), Deepak Kumar Balmiki
- 193. 5025346, Hav (Clk), Kishore Das
- 194. 5025409, Hav (Clk), Dhruva Singh
- 195. 5025563, Hav (Clk), Ramesh Chhetri
- 196. 5028555, Hav (Clk), Sarabjit Singh
- 197. 5028560, Hav (Clk), T Rengneising
- 198. 5023005, Hav (Clk), Abdul Kadir Ansari
- 199. 5023325, Hav (Clk), Botovi S
- 200. 5025248, Hav (Clk), Cornelius Shadap
- 201. 5025261, Hav (Clk), Sajan Prasad
- 202. 5025276, Hav (Clk), Utpal Dey
- 203. 5025310, Hav (Clk), Anil Kumar Arya
- 204. 5025336, Hav (Clk), Ngangom Rabin Meitei
- 205. 5025357, Hav (Clk), Baljeet Kumar
- 206. 5025393, Hav (Clk), Mashi Das Barla
- 207. 5027714, Hav (Clk), Dipu Borah
- 208. 5028426, Hav (Clk), Narendra Singh
- 209. 5023362, Hav (Clk), Yogendra Singh
- 210. 5023373, Hav (Clk), Surender Kumar Yadav
- 211. 5016989, Hav (Clk), Ajay Chhetri
- 212. 5017925, Hav (Clk), Rakesh Kumar
- 213. 5021084, Hav (Clk), Rahul Mazumdar
- 214. 5021102, Hav (Clk), Biku Kumar
- 215. 5022790, Hav (Clk), Harjeet Singh
- 216. 5016863, Hav (Clk), Milan Kumar Malik
- 217. 5025294, Hav (Clk), Subrato Chakrobartty
- 218. 5027650, Hav (Clk), Arvind Kumar
- 219. 5017105, Hav (Clk), Vikash Kumar
- 220. 5021020, Hav (Clk), Roflint Rose Kharkongor
- 221. 5025318, Hav (Clk), Guarav Saikia
- 222. 5025339, Hav (Clk), Suraj
- 223. 5025377, Hav (Clk), Govind Chetry

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- 224. 5025389, Hav (Clk), Tej Raz Thapa

225. 5025389, Hav (Clk), Anand Kumar Singh  
 226. 5027688, Hav (Clk), Vibhor Kumar  
 227. 5027799, Hav (Clk), Kilangtemsu Kichu  
 228. 5028572, Hav (Clk), Santosh Singh Rawat  
 229. 5015672, Hav (Clk), Rajesh Singh  
 230. 5015895, Hav (Clk), Sandeep Adiwal  
 231. 5018131, Hav (Clk), Shankar Deb Barma  
 232. 5019603, Hav (Clk), Pintu Kumar  
 233. 5021025, Hav (Clk), Chandra Shekhar Kandpal  
 234. 5021058, Hav (Clk), Manish Kumar  
 235. 5025286, Hav (Clk), Arvind Kumar Ram  
 236. 5025327, Hav (Clk), Thokchom Bisanta Singh  
 237. 5028585, Hav (Clk), Langewar S Panduranji  
 238. 5028573, Hav (Clk), Sagar Kumar Prasad  
 239. 5020383, Hav (Clk), Sharad Yadav  
 240. 5020617, Hav (Clk), Durga Muang  
 241. 5025257, Hav (Clk), Polash Chakma  
 242. 5025275, Hav (Clk), NG Albert Moyon  
 243. 5027732, Hav (Clk), Shiv Kumar Yadav  
 244. 5028586, Hav (Clk), Lohar Arjun Shrirang  
 245. 5017799, Hav (Clk), Rohit Singh Bora  
 246. 5019055, Hav (Clk), Srikanta Ghosh  
 247. 5021085, Hav (Clk), Vinay Pal  
 248. 5021098, Hav (Clk), Amit Kumar Limbu  
 249. 5021099, Hav (Clk), Rajinder Kumar  
 250. 5021100, Hav (Clk), Pradeep Kumar  
 251. 5027737, Hav (Clk), Dhruv Kant Tiwari  
 252. 5017303, Hav (Clk), Deepak Kumar Pandey  
 253. 5017306, Hav (Clk), Sukesh Kumar  
 254. 5023320, Hav (Clk), Ajay Kumar Singh  
 255. 5025287, Hav (Clk), Rahul Chhetry  
 256. 5025570, Hav (Clk), Pradeep Kumar  
 257. 5027755, Hav (Clk), Rahul M Prasad  
 258. 5016816, Hav (Clk), Bimal Koirala  
 259. 5019277, Hav (Clk), Bikram Rana  
 260. 5022869, Hav (Clk), Mitul Chakma  
 261. 5025540, Hav (Clk), S Rahul Singha

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262. 5027730, Hav (Clk), Vaibhav Ananat Patil  
 263. 5028591, Hav (Clk), Deepak Sharma  
 264. 5016055, Hav (Clk), Prabir Kumar Adhikari  
 265. 5017243, Hav (Clk), Sunil Kumar  
 266. 5021024, Hav (Clk), Subhankar Samai  
 267. 5022846, Hav (Clk), Sahindra Tripura  
 268. 5023002, Hav (Clk), Ashish Kumar  
 269. 5023080, Hav (Clk), Khuplenmang Haokip  
 270. 5025369, Hav (Clk), Narendra Kumar Meena  
 271. 5025404, Hav (Clk), Ram  
 272. 5027619, Hav (Clk), Prakash Rabidas

273. 5028600, Hav (Clk), Rupam Chakma  
 274. 5015894, Hav (Clk), Pradeep Kumar  
 275. 5016682, Hav (Clk), Rajeev Sharma  
 276. 5017685, Hav (Clk), Ch Umanda Singh  
 277. 5020681, Hav (Clk), Kishan Limbu  
 278. 5021023, Hav (Clk), Prodyut Chakma  
 279. 5021032, Hav (Clk), Navin Singh Farfijal  
 280. 5025305, Hav (Clk), Vikrant Singh  
 281. 5027625, Hav (Clk), Neeraj Kumar  
 282. 5016746, Hav (Clk), Shashi Kant Yadav  
 283. 5021029, Hav (Clk), Anil Kumar  
 284. 5023315, Hav (Clk), Shiv Shankar Ram  
 285. 5023333, Hav (Clk), Anil  
 286. 5023390, Hav (Clk), Bhagirah Singh  
 287. 5023395, Hav (Clk), Md Arif Khan  
 288. 5025586, Hav (Clk), Mavatmi Kashungao  
 289. 5028431, Hav (Clk), Pappu Kumar  
 290. 5028435, Hav (Clk), Utsav Bhardwaj  
 291. 5021026, Hav (Clk), Dhan Kumar Sonar  
 292. 5021103, Hav (Clk), Yogesh Chandra Dani  
 293. 5025293, Hav (Clk),Manoj Singh Shekhawat  
 294. 5025297, Hav (Clk), Sumit Kumar Sharma  
 295. 5025308, Hav (Clk), L Roman Saemah  
 296. 5025400, Hav (Clk), Chandan James Singh  
 297. 5014894, Hav (Clk), Sanal Kumar S  
 298. 5016599, Hav (Clk), Shyam Kumar Paswan  
 299. 5017242, Hav (Clk), Mintu

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300. 5023074, Hav (Clk), Chandan Kumar  
 301. 5027667, Hav (Clk), Bipin Kumar Yadav  
 302. 5028617, Hav (Clk), Rakesh Singh  
 303. 5018753, Hav (Clk), Ramesh Kumar  
 304. 5020264, Hav (Clk), Dinesh Choudhary  
 305. 5021072, Hav (Clk), Paradhaman R  
 306. 5022989, Hav (Clk), Amit Singh  
 307. 5025385, Hav (Clk), Nishant Kumar  
 308. 5025538, Hav (Clk), Bikram Das  
 309. 5027706, Hav (Clk), Soutan Biswas  
 310. 5018476, Hav (Clk), Rodingliana  
 311. 5018998, Hav (Clk), Abhay Kumar Tiwari  
 312. 5019634, Hav (Clk), Herendra Singh  
 313. 5020349, Hav (Clk), Pankaj Thakur  
 314. 5021004, Hav (Clk), Moirangthem Sanjoy Singh  
 315. 5021013, Hav (Clk), Satya Prakash  
 316. 5021086, Hav (Clk), Purnakanta Biswakarma  
 317. 5025259, Hav (Clk), Hijam Lakhsmikanta Singh  
 318. 5016643, Hav (Clk), Jintendra Thakur  
 319. 5021036, Hav (Clk), Gautam Kumar  
 320. 5022892, Hav (Clk), Vikram Gujar

321. 5016677, Hav (Clk), Sunil Yadav  
 322. 5018077, Hav (Clk), D Siva Kumar  
 323. 5025251, Hav (Clk), T HutoiSema  
 324. 5025273, Hav (Clk), Abhishek Singh  
 325. 5025304, Hav (Clk), Nitul Duwarah  
 326. 5025311, Hav (Clk), Dharmendra Singh Yadav  
 327. 5025328, Hav (Clk), Asem Dilip Singh  
 328. 5025335, Hav (Clk), Arun T J  
 329. 5025383, Hav (Clk), Ajeet Singh Rawat  
 330. 5027802, Hav (Clk), Ravinder Singh  
 331. 5017001, Hav (Clk), Shammi Kumar  
 332. 5017230, Hav (Clk), Rakesh Kumar  
 333. 5019375, Hav (Clk), Mani Kumar Chetry  
 334. 5021045, Hav(Clk),OKram Rameswor Singh  
 335. 5021067, Hav (Clk), Sujeet Mech  
 336. 5023324, Hav (Clk), S Hari Krishnan  
 337. 5025395, Hav (Clk), Narendra Singh

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338. 5028621, Hav (Clk), Rajput B K Dhanbahadur  
 339. 5028623, Hav (Clk), Jacob Lalnutluanga  
 340. 5015661, Hav (Clk), P C Vanlalhuma  
 341. 5015695, Hav (Clk), Anand Singh Negi  
 342. 5016934, Hav (Clk), Pradeep Gurung  
 343. 5018075, Hav (Clk), Sharath Lal S S  
 344. 5018888, Hav (Clk), Ravinder Singh  
 345. 5021069, Hav (Clk), K C Vanlalnunpuia  
 346. 5023299, Hav (Clk), BenrithungKikon  
 347. 5025317, Hav (Clk), Prinsu Singh  
 348. 5025372, Hav (Clk), Rajesh Das  
 349. 5027824, Hav (Clk), Pathan Shahrukkha Faimkha  
 350. 5015632, Hav (Clk), David Lalramawia  
 351. 5017386, Hav (Clk), Ram Kumar Chhetri  
 352. 5021052, Hav (Clk), Mahesh Joshi  
 353. 5021055, Hav (Clk), Amit Kumar  
 354. 5025554, Hav (Clk), Rajesh Kumar Ram  
 355. 5014939, Hav (Clk), Pramod Kumar Yadav  
 356. 5015868, Hav (Clk), Sajjan Singh  
 357. 5019598, Hav (Clk), Sujith S  
 358. 5025284, Hav (Clk), Ashwani Kumar  
 359. 5018973, Hav (Clk), Pabitra Karmakar  
 360. 5021093, Hav (Clk), Uday Kumar Singh  
 361. 5021106, Hav (CIk),Deepak kr Suryawanshi  
 362. 5025324, Hav (Clk), Rajesh kumar Gupta  
 363. 5025332, Hav (Clk), Pukhrambam Shanti Kumar  
 364. 5027624, Hav (Clk), Sunil Yadav  
 365. 5028444, Hav (Clk), Pankaj Kumar  
 366. 5025249, Hav (Clk), Gaidinreipou Pamei  
 367. 5025313, Hav (Clk), Ajay Pal  
 368. 5025366, Hav (Clk), Ajit Kumar Singh



369. 5025368, Hav (CIk) Shanchuma Boro  
 370. 5025371, Hav (Clk), Pranjal Pratim Borah  
 371. 5017292, Hav (Clk), Ranjan Ram  
 372. 5017378, Hav (Clk), Chanchal Singh Bisht  
 373. 5017839, Hav (Clk), Y Dharmaraj  
 374. 5018067, Hav (CIk), L Santosh Kumar  
 375. 5018977, Hav (Clk), Kishor Oraon

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376. 5021019, Hav (Clk), Jitendra Kumar  
 377. 5025255, Hav (Clk), Vikas Kumar Sharma  
 378. 5025382, Hav (Clk), Pawan Deep Singh  
 379. 5028445, Hav (Clk), Bishal Gogoi  
 380. 5021044, Hav (Clk), Neeraj Yadav  
 381. 5023356, Hav (Clk), Akash Choudhary  
 382. 5025288, Hav (Clk), Sandip Nath  
 383. 5025352, Hav (Clk) Dipendra Chhetri  
 384. 5025555, Hav (Clk), Anoop Singh  
 385. 5018171, Hav (Clk), Manish Kumar  
 386. 5018245, Hav (Clk), Janpoi Tesia  
 387. 5020860, Hav (Clk), Lukram Bidyaraj Singh  
 388. 5021041, Hav (Clk), Anup Chauhan  
 389. 5023392, Hav (Clk), Devender  
 390. 5025329, Hav (Clk), Karan Rajbanshi  
 391. 5025337, Hav (Clk), Sudip Tirkey  
 392. 5025597, Hav (Clk), Sunil Kumar Rawat  
 393. 5027642, Hav (Clk), Naveen Singh  
 394. 5028450, Hav (Clk), Kapil Kumar  
 395. 5017608, Hav (Clk), L Rajesh Singh  
 396. 5018718, Hav (Clk), Arun Saini  
 397. 5022889, Hav (Clk), Asif Khan  
 398. 5025278, Hav (Clk), Deepak  
 399. 5025341, Hav (Clk), Mantu Talukdar  
 400. 5025350, Hav (Clk), Pawan Kumar  
 401. 5025576, Hav (Clk) Anil Minj  
 402. 5027668, Hav (Clk), Amit Kuma  
 403. 5028457, Hav (Clk), Sunny Dev  
 404. 5022952, Hav (Clk), Pasang Lama  
 405. 5023381, Hav (Clk), Paotinthang Haokip  
 406. 5017690, Hav (Clk), Anil Kumar Sahu  
 407. 5021010, Hav (Clk), Vinod Kumar  
 408. 5025321, Hav (Clk), Satendra Kumar Rao  
 409. 5016529, Hav (Clk), Vinay Kumar Mishra  
 410. 5022821, Hav (Clk), Dhiraj Pandey  
 411. 5023078, Hav (Clk), Dev Bahadur Sunar  
 412. 5021702, Hav (Clk), Yogesh Kumar Dwivedi  
 413. 5022777, Hav (Clk) Manik Chandra Das

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414. 5022819, Hav (Clk), Surchandra Singha  
 415. 5022912, Hav (Clk), Sandeep Yadav  
 416. 5022930, Hav (Clk), Sanjay Kumar  
 417. 5025281, Hav (Clk), Ashish Gurung  
 418. 5025334, Hav (Clk), Ranjit Singh Bhau  
 419. 5025587, Hav (Clk), Kundan Kumar  
 420. 5018818, Hav (Clk), Sunil Kumar  
 421. 5020618, Hav (Clk), Dhruv Kumar  
 422. 5025342, Hav (Clk), Pradeep Thakur  
 423. 5025584, Hav (Clk), Praveen Kumar  
 424. 5015130, Hav (Clk), N Dhanshyam Singh  
 425. 5016629, Hav (Clk), I L Meetai  
 426. 5016630, Hav (Clk), Ajay Singh Bijarnia  
 427. 5017100, Hav (Clk), Sandeep Singh  
 428. 5017307, Hav (Clk), Deep Tamang  
 429. 5017333, Hav (Clk), Irphan Khan  
 430. 5018796, Hav (Clk) Hafizuddin Ahmed  
 431. 5020261, Hav (Clk), Jatinder Singh  
 432. 5021420, Hav (Clk), V Nagarjuna  
 433. 5023077, Hav (Clk), Thoudam Digbijoy Meitei  
 434. 5025306, Hav (Clk), Pankaj Kumar Jena  
 435. 5025353, Hav (Clk), Ajit Singh  
 436. 5025360, Hav (Clk), Shrawan Kumar  
 437. 5015083, Hav (Clk), Amit Kumar  
 438. 5014952, Hav (Clk) Lalit Kumar Janoti  
 439. 5015883, Hav (Clk), Dinesh  
 440. 5016054, Hav (Clk), Kiran Limbu  
 441. 5016318, Hav (Clk), Veeraswamy Venkala  
 442. 5016690, Hav (Clk), Jagat Jyoti Chhetri  
 443. 5016831, Hav (Clk), Sheesh Pal  
 444. 5017283, Hav (Clk), Shyam Sunder  
 445. 5017284, Hav (Clk), Hare Krishna Roy  
 446. 5017332, Hav (Clk), Lakshmikanth N  
 447. 5017615, Hav (Clk), Ganesh Chhetri  
 448. 5017636, Hav (Clk), Ng Omendro Singh  
 449. 5018081, Hav (Clk), P Sudhakar Reddy  
 450. 5018493, Hav (Clk), R L Pachauu  
 451. 5018869, Hav (Clk), Subash Chand

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452. 5019335, Hav (Clk), Gurmeet Singh  
 453. 5019489, Hav (Clk), Bikky Lama  
 454. 5019639, Hav (Clk), Abhay Pratap  
 455. 5019751, Hav (Clk), Amar Nath  
 456. 5019757, Hav (Clk), Anish Kumar Singh  
 457. 5020000, Hav (Clk), Bikram Pun  
 458. 5020068, Hav (Clk), Brajendra Kumar  
 459. 5020102, Hav (Clk) Ashis Rai

460. 5020255, Hav (Clk), Vivek Kukrety  
 461. 5020857, Hav (Clk), Th Jemson Singh  
 462. 5021001, Hav (Clk), H Vanlallawmkima  
 463. 5021015, Hav (Clk), N Surajkanta Singh  
 464. 5021018, Hav (Clk), Surgyan Singh Gurjar  
 465. 5021028, Hav (Clk), Sandeep Kumar Sharma  
 466. 5021038, Hav (Clk), Vikash Deoli  
 467. 5021081, Hav (Clk), Rohit Thakur  
 468. 5021082, Hav (Clk), Ravi Kumar  
 469. 5021128, Hav (Clk), Ashu Kumar Ram  
 470. 5021173, Hav (Clk), Mithlesh Kumar  
 471. 5021432, Hav (Clk), Manoj Yadav  
 472. 5022771, Hav (Clk), Goutam Sarkar  
 473. 5022779, Hav (Clk), Maskare Chunnilal Jagdish  
 474. 5022780, Hav (Clk), Rugantar Chakma  
 475. 5022784, Hav (Clk), Atenjenba  
 476. 5022850, Hav (Clk), Sanjay Rudra Paul  
 477. 5022860, Hav (Clk), Dilliram Parajuli  
 478. 5022870, Hav (Clk), Akshay Kumar Sinah  
 479. 5022874, Hav (Clk), Shimborlang Kharshandi  
 480. 5022897, Hav (Clk), Dan Singh Rana  
 481. 5022913, Hav (Clk), Raju Thakur  
 482. 5022916, Hav (Clk), Pappu Kumar  
 483. 5022925, Hav (Clk), Tuhinkanti Kar  
 484. 5022940, Hav (Clk), Hosang Gurung  
 485. 5022942, Hav (Clk), Gol Mohammad  
 486. 5022954, Hav (Clk), Neeraj Singh Soun  
 487. 5022980, Hav (Clk), J Ramchungthang  
 488. 5022995, Hav (Clk), Daljeet Singh Dogra  
 489. 5023013, Hav (Clk), Gulshinder Singh

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490. 5023028, Hav (Clk), Taushif Ahmad  
 491. 5023029, Hav (Clk), Bikram Tamang  
 492. 5023031, Hav (Clk), Vikram Singh  
 493. 5023032, Hav (Clk), Samir Thapa  
 494. 5023082, Hav (Clk), Mayengbam Johnson Meitei  
 495. 5023086, Hav (Clk), Ningthoujam Romeo Singh  
 496. 5023088, Hav (Clk), Dayamo Yendrembam  
 497. 5023095, Hav (Clk), Haominlen Khongsai  
 498. 5023361, Hav (Clk), Sandeep Prasad  
 499. 5025253, Hav (Clk), Minishwrang Mushahary  
 500. 5025262, Hav (Clk), B Nagabosanam  
 501. 5025272, Hav (Clk), Sanjay Kumar  
 502. 5025296, Hav (Clk), Raju Ansari  
 503. 5025302, Hav (Clk), Bighneswar Samal  
 504. 5025307, Hav (Clk), Deepak Kharab  
 505. 5025314, Hav (Clk), Niranjana Kumar  
 506. 5025319, Hav (Clk), Ravi Ranjan Kumar  
 507. 5025320, Hav (Clk), Sudhir Yadav

508. 5025323, Hav (Clk), Manoj Saurabh  
 509. 5025325, Hav (Clk), Shakti Chhetri  
 510. 5025367, Hav (Clk), Mukul Hazarika  
 511. 5025379, Hav (Clk), Rakesh Kumar Saroj  
 512. 5023397, Hav (Clk), Khaijamang Haokip  
 513. 5025391, Hav (Clk), Abhijeet Brahma  
 514. 5025541, Hav (Clk), Debendra Sinha  
 515. 5025545, Hav (Clk), Suresh Kumar  
 516. 5025553, Hav (Clk), Bulbul Chetia  
 517. 5025572, Hav (Clk), Deepak Rasaile  
 518. 5025583, Hav (Clk), Rajan Kumar Singh  
 519. 5025600, Hav (Clk), Balram Ojha  
 520. 5017342, Hav (Clk), Manoj Singh Bora  
 521. 5017889, Hav (Clk), Balaji GR  
 522. 5017936, Hav (Clk), Emmanuel Lalsanglien  
 523. 5018788, Hav (Clk), G Arjun Singh  
 524. 5018909, Hav (Clk), Harvinder Singh  
 525. 5019316, Hav (Clk), Diwanshu Gaur  
 526. 5020945, Hav (Clk), Ishrar Khan  
 527. 5022833, Hav (Clk), Nithin Mohan

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528. 5022872, Hav (Clk), Vikas Kumar Suryawnhi  
 529. 5022898, Hav (Clk), Inderpal Yadav  
 530. 5022932, Hav (Clk), Akhil Raj TR  
 531. 5022947, Hav (Clk), Manejer Choudhary  
 532. 5022963, Hav (Clk), Prem Bahadur Kharka  
 533. 5023042, Hav (Clk), Shashi Bhushan Sharma  
 534. 5023043, Hav (Clk), Boto I Wotsa  
 535. 5023061, Hav (Clk), Livingstone Sochinghao  
 536. 5023068, Hav (Clk), Khiuwangbou Abonmai  
 537. 5023073, Hav (Clk), Sachin Kumar  
 538. 5021014, Hav (Clk), Mukesh Sunar  
 539. 5022823, Hav (Clk), Indrajeet Chakma  
 540. 5022981, Hav (Clk), Arbind Kumar  
 541. 5018183, Hav (Clk), Saiful Islam  
 542. 5022957, Hav (Clk), Avinash Kumar  
 543. 5023353, Hav (Clk), Michael Kharkhonga  
 544. 5017915, Hav (Clk), Shaibud Lyngdoh Thabah  
 545. 5020988, Hav (Clk), Pravin Kumar Rai  
 546. 5021002, Hav (Clk), Rana Pratap Koach  
 547. 5022769, Hav (Clk), Radha Kanta Sarkar  
 548. 5022853, Hav (Clk), Benjamin V Zhimomi  
 549. 5025271, Hav (Clk), Govindra Nomosudra  
 550. 5025566, Hav (Clk), Kuldeep Singh  
 551. 5025592, Hav (Clk), Indrajit Sinha  
 552. 5016228, Hav (Clk), Rajesh Oraon  
 553. 5018317, Hav (Clk), Uttom Deori  
 554. 5018486, Hav (Clk), K Vanlalnghaka  
 555. 5019970, Hav (Clk), Biju Chetri

556. 5022955, Hav (Clk), Ganga DattKapadi  
 557. 5023011, Hav (Clk), Satyendra Kumar  
 558. 5023339, Hav (Clk), Mithlesh Singh  
 559. 5025343, Hav(Clk), Gyan Prakash Gautam  
 560. 5025355, Hav (Clk), Brijkishor Singh Tomar  
 561. 5018028, Hav (Clk), Rambabu Balaka  
 562. 5019736, Hav (Clk), Vishal Rajbonshi  
 563. 5020033, Hav (Clk), Shailendra Pratap Singh  
 564. 5025381, Hav (Clk), Pradeep Kumar Bugalia  
 565. 5025535, Hav (Clk), Bappa Kumar Nath

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566. 5015030, Hav (Clk), Sandeep Kumar  
 567. 5017688, Hav (Clk), Akoijam Jotindro Singh  
 568. 5018723, Hav (Clk), Ashu Yadav  
 569. 5020281, Hav (Clk), Jaipal  
 570. 5014928, Hav (Clk), Lokhande Arjun Baban  
 571. 5017923, Hav (Clk), Sunil Sharma  
 572. 5018052, Hav (Clk), Valireddy Pittu  
 573. 5019026, Hav (Clk), Utpal Barman  
 574. 5019370, Hav (Clk), Umed Singh Dhami  
 575. 5020408, Hav (Clk), Anil Kumar  
 576. 5021006, Hav (Clk), Rojit Singh Ch  
 577. 5021027, Hav (Clk), Santosh Kumar Sahoo  
 578. 5021066, Hav (Clk), Ramesh Bahadur Newar  
 579. 5022901, Hav (Clk), Manoj Basnet  
 580. 5022986, Hav (Clk), Shailendra Singh  
 581. 5023047, Hav (Clk), Haveev Khan  
 582. 5023359, Hav (Clk), Jagbir Singh  
 583. 5025258, Hav (Clk), Suman Khongsit  
 584. 5025283, Hav (Clk), Shyam Kishore  
 585. 5025291, Hav (Clk), Suman Singha  
 586. 5025315, Hav (Clk), Bishal Rai  
 587. 5025344, Hav (Clk), Deepak Kumar  
 588. 5017257, Hav (Clk), Sanjeev Kumar  
 589. 5021214, Hav (Clk), Haret Singh Gujar  
 590. 5022834, Hav (Clk), Rajesh Kumar Nayak  
 591. 5021418, Hav (Clk), Abhishek  
 592. 5017076, Hav (Clk), Vishu Kumar V  
 593. 5017092, Hav (Clk), Prasant Limbu  
 594. 5025596, Hav (Clk), Rakesh Gurung  
 595. 5021080, Hav (Clk), Sulanthung Ngullie  
 596. 5025399, Hav (Clk), Sandeep Gurung  
 597. 5027771, Hav (Clk), Sher Singh  
 598. 5027631, Hav (Clk), Pratyush Solanki  
 599. 5028561, Hav (Clk), Sukalyan Saha  
 600. 5022917, Hav (Clk), Ashish Kumar  
 601. 5025326, Hav (Clk), Ankit Kumar  
 602. 5025299, Hav (Clk), Avinash Kumar  
 603. 5018967, Hav (Clk), Gopeswar Ghosh

- 604. 5021035, Hav (Clk), Sambhu Pradhan
- 605. 5021037, Hav (Clk), Pushkar Singh
- 606. 5021092, Hav (Clk), Manoj Kumar
- 607. 5027722, Hav (Clk), Dharmendr Gupta
- 608. 5028463, Hav (Clk), Lunminlen Kipgen
- 609. 5018982, Hav (Clk), Arun Kumar Gurung
- 610. 5021030A, Hav (Clk), Ashwani Kumar
- 611. 5025390, Hav (Clk), Debajit Pokrel Chetry
- 612. 5028481, Hav (Clk), Koushik Mondal

...Writ Appellants

-VERSUS-

- 1. Union of India, represented by the Secretary to the Government of India, Ministry of Home Affairs, New Delhi - 110001.
- 2. The Director General, Assam Rifles, HQ DGAR, Shillong - 793011.
- 3. The Brigadier (Personnel), HQ DGAR, Shillong -793011.
- 4. The Colonel (Administration), HQ DGAR, Shillong -793011.

...Respondents

Coram:

Hon'ble Mr. Justice I.P. Mukerji, Chief Justice

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. B. Pathak, Adv with

Mr. V. Kumar, Adv

Ms. P. Chettri, Adv

For the Respondent(s)

: Mr. R. Debnath, CGC

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

Note: For proper public information and transparency, any media reporting this judgment is directed to mention the composition of the bench by name of judges, while reporting this judgment/order.

## JUDGMENT

I.P. Mukerji, C.J.:

I have had the privilege of going through the draft judgment prepared by my learned brother. I am in full agreement with the conclusions and order proposed by his lordship.

The facts of this case have been narrated in great detail in the said judgment. I will not try to regurgitate the same. I would only like to add a few observations of my own.

Three reasons given by the learned single judge for rejecting the writ petition are as follows:

The appellants sat on the fence and waited for the outcome of the writ petitions filed by the other writ petitioners.

Secondly, they were recruited after 29th October, 2002 on initiation of the 2002 Rules and were not on the same footing as the earlier writ petitioners.

Thirdly, the earlier orders were in personam. The appellants could not take the benefit of those orders.

I will take the second point first.

The 2002 Rules did not redesignate the rank or alter the pay scale of the appellants, to make it equivalent to that of Warrant Officers in the Central services. It was just that the name of the post was changed. The 2025:MLHC:182-DB appellants in terms of rank and pay were in the same category as those of the earlier writ petitioners.

Their nature and type of work and all other service conditions were similar to the earlier batch of writ petitioners.

As far as the allegation against them of "sitting on the fence" is concerned, I do not think that it is sustainable. It is for the following reasons.

There is no period of limitation prescribed for preferring a writ petition. Of course, it has to be instituted within reasonable time. Inordinate and unexplained delay vitiates a writ petition.

The Supreme Court on 17th November, 2015 affirmed, with some modification the order of the learned single judge dated 23 rd August, 2012. It was implemented by Assam Rifles on 28 th June, 2016 leaving out 89 of the 1232 number of writ petitioners who were appointed under the 2002 Rules on the ground that they were not covered by the Supreme Court judgment. Finally, after contempt proceedings were initiated by 87 of them, on 12th April, 2019, Assam Rifles implemented the entire order.

In those circumstances, it was only on or after 12th April, 2019 that the appellants could have been aware of the fact that they were also similarly situated as the earlier writ petitioners their legal rights flowing from this knowledge and entitled to the same relief.

2025:MLHC:182-DB Moreover, being bound and guided by Article 14 of the Constitution, it became the duty of the government to extend similar benefit to the appellants as the earlier writ petitioners, whether or not they obtained orders of Court. This in my opinion is part of the principle of equality, fairness, transparency and good governance which every State should follow.

Therefore, the present writ petition of 2019 could never be dismissed on the ground of "delay", "fence sitting" or acquiescence.

It did not matter even if the earlier writ petition was an action in personam or in rem. I am not expressing our opinion on this issue as it is immaterial. The appellants are entitled to this benefit for the reasons above.

The argument of learned counsel for the respondents was that redesignation of 87 employees further to the contempt petition was an irregular or illegal act. He contended that no advantage could be taken of this illegal act, as it could not be acted upon as a precedent relying upon [Union of India & anr v. Arulmozhi Iniarasu & ors reported in (2011) 7 SCC 397 and Director of Horticulture, Odisha v. Pravat Kumar Dash & ors reported in (2019) 8 SCC 294]. This proposition and the above authorities have no application because my reasoning above clearly shows that all the appellants were similarly situated and entitled to the same relief 2025:MLHC:182-DB as the earlier batch of writ petitioners and that the 87 employees were rightly redesignated.

Union of India v. Dineshan K.K. reported in (2008) 1 SCC 586 cited by learned counsel for the appellants is applicable. Paragraphs 4, 9, and 25 are set out below:

"4. The nub of the grievance of the writ petitioner, working in the rank of a Radio Mechanic in Assam Rifles was that the Ministry of Home Affairs and the Director General of Assam Rifles having accepted in principle that the numbers of Assam Rifles, should be given the same rank and pay structure as was given to other Central paramilitary forces, yet the same had been denied to them. ...."

9. .... the High Court felt that it would be unreasonable and discriminatory if the pay scales given to Radio Mechanics in CRPF and BSF were denied to the Radio Mechanics in Assam Rifles, when the qualifications and service requirements in all the three organisations were identical.

Consequently, the High Court issued the aforementioned directions, which are questioned in this appeal.



25. However, the Ministry of Home Affairs vide Letter dated 3-3-1998 while accepting the said proposal had recommended redesignation of Havildar/RM as warrant officer but subject to the condition that the prerevised and revised pay scales of Havildar/RM in other paramilitary forces were identical to the pay scales of Head Constable (RM) in CRPF and BSF. .... The counter-affidavit does not even attempt to explain how the case of Havildar/RM in Assam Rifles is different from that of Radio Mechanics in other Central paramilitary forces." The following dicta was laid down by the Supreme Court:

"12. The principle of "equal pay for equal work" has been considered, explained and applied in a catena of decisions of this Court. The doctrine of "equal pay for equal work" was originally propounded as part of the directive principles of the State policy in Article 39(d) of the Constitution. In *Randhir Singh v. Union of India* a Bench of three learned Judges of this Court had observed that principle of equal pay for equal 2025:MLHC:182-DB work is not a mere demagogic slogan but a constitutional goal, capable of being attained through constitutional remedies and held that this principle had to be read under Articles 14 and 16 of the Constitution. This decision was affirmed by a Constitution Bench of this Court in *D.S. Nakara v. Union of India*. Thus, having regard to the constitutional mandate of equality and inhibition against discrimination in Articles 14 and 16, in service jurisprudence, the doctrine of "equal pay for equal work" has assumed status of a fundamental right.

13. Initially, particularly in the early eighties, the said principle was being applied as an absolute rule but realising its cascading effect on other cadres, in subsequent decisions of this Court, a note of caution was sounded that the principle of equal pay for equal work had no mathematical application in every case of similar work. It has been observed that equation of posts and equation of pay structure being complex matters are generally left to the executive and expert bodies like the pay Commission, etc. It has been emphasised that a carefully evolved pay structure ought not to be ordinarily disturbed by the court as it may upset the balance and cause avoidable ripples in other cadres as well. (*Vide Secy., Finance Deptt. v. W.B. Registration Service Assn. and State of Haryana v. Haryana Civil Secretariat Personal Staff Assn.*) Nevertheless, it will not be correct to lay down as an absolute rule that merely because determination and granting of pay scales is the prerogative of the executive, the court has no jurisdiction to examine and pay structure and an aggrieved employee has no remedy if he is unjustly treated by arbitrary State action or inaction, except to go on knocking at the doors of the executive or the legislature, as is sought to be canvassed on behalf of the appellants. Undoubtedly, when there is no dispute with regard to the qualifications, duties and responsibilities of the persons holding identical posts or ranks but they are treated differently merely because they belong to different departments or the basis for classification of posts is *ex facie* irrational, arbitrary or unjust, it is open to the court to intervene."

The conclusion was:

"28. On a conspectus of the factual scenario noted above, we do not find any infirmity in the impugned directions given by 2025:MLHC:182-DB the High Court, warranting interference. There is no merit in this appeal and it is dismissed accordingly with costs."

The appellants are entitled to the same relief as the writ petitioners in WP (C) No.277 (SH) 2010, granted by a learned single judge of this Court on 23rd August, 2012, modified by a division bench of this Court on 30th April, 2013 and finally granted by the Supreme Court with modifications by its judgment and order dated 17th November, 2015.

I, direct that the appellants may be granted relief in identical manner as if the said orders of the Court were incorporated in this judgment and order. Similar departmental orders may also be issued.

I grant the same relief as in the judgment and order of my learned brother.

This appeal is allowed. The impugned judgment and order is set aside.

No order as to costs.

(I.P. Mukerji) Chief Justice B. Bhattacharjee, J.:

This writ appeal is directed against the Judgment dated 05-12-2022 passed by the learned Single Judge in WP(C) No.244 of 2019 by which the writ petition was dismissed being devoid of merits.

2025:MLHC:182-DB The fact of the case is that in the year 2010, 1339 employees belonging to the clerical cadre of Assam Rifles raised the issue of parity in respect of pay, rank and status of Assam Rifles clerical cadre at par with other Central Police Organization (CPO) by filing a writ petition No. WP(C) No.277 (SH) of 2010 and sought for introduction of post of Warrant Officer (Clerk) in Assam Rifles at the Entry Level post. The said writ petition was disposed of by the Judgment and Order dated 23-08-2012 directing the Director General of Assam Rifles to take up the matter with the Secretary to the Govt. of India, Ministry of Home Affairs to bring parity in respect of rank structure and a pay of the Assam Rifles clerical cadre at par with other CPOs by introducing the rank of Assistant Sub- Inspector (Warrant Officer) at the entry grade w.e.f. 01-01-1986 in the pay scale of Rs. 1320-2040 (Rs.4000-6000) with all consequential benefits in the light of the communication made through MHA letter No.2701- 02/1/97 PC Cell/Pef-1 dated 10-10-1997.

The aforesaid Judgment and Order dated 23-08-2012 of the learned Single Judge was challenged in W.A. No.40 (SH) of 2012 wherein vide Judgment and Order dated 30-04-2013 the direction of the learned Single Judge was modified with regard to the date of application of the benefit of arrear of financial benefits. Thereafter, the matter

reached before the Apex Court in Civil Appeal No. 13445 of 2015 (arising out of SLP (C) No. 2025:MLHC:182-DB 29908 of 2013) wherein by order dated 17-11-2015 the Judgment and Order of the learned Single Judge was restored.

The Ministry of Home Affairs, thereafter, approved the implementation of the Judgment and Order dated 23-08-2012 by Memo No. MHA U.O. 27013/2/2016.PF.IV dated 21-06-2016 wherein it was communicated that the Ministry of Home Affairs in consultation with the Ministry of Finance has agreed to implement the said Judgment and Order in respect of petitioners therein as well as other similarly placed employees. Accordingly, the Directorate General Assam Rifles implemented the Judgment and Order dated 23-08-2012 extending the benefit of the rank structure and pay of Warrant Officer to 1250 petitioners in WP(C) No.277 (SH) of 2010 by Order No. A/Pers/II-04/Clk/2016/774 dated 28-06-2016. However, the benefits were extended only to the personnel of the clerical cadre who were in service as on 01-01-1986 and who were enrolled thereafter upto 28-10-2002. As a result, 89 petitioners in WP(C) No. 277 (SH) of 2010 were left out and not conferred with the above benefits.

The petitioners numbering 87 out of the aforesaid 89, who did not get the benefit, approached this High Court by filing Contempt Case(C) No.21 of 2016. At the stage of the consideration of the contempt matter, the respondents agreed to implement the Judgment and Order dated 23-08- 2012 to the remaining 89 writ petitioners. Consequently, the Director 2025:MLHC:182-DB General of Assam Rifles issued Order No. Rec (Adm-I) MACPS (Court Case)/2019/320 dated, Shillong the 12-04-2019 extending the benefits to the remaining 89 writ petitioners in WP(C) No. 277 (SH) 2010.

Further, another batch of 192 Havildar (Clerks) of Assam Rifles, who were enrolled in service after 28-10-2002, approached this Court by filing WP(C) No. 198 of 2019 claiming benefits which fell due upon them consequent to the passing of the Judgment and Order dated 23-08-2012 and the order dated 12-04-2019 of the Directorate General Assam Rifles. The said writ petition was allowed by the Judgment dated 17-02-2023. Upon challenge made, the Apex Court declined to interfere with the said Judgment dated 17-02-2023 and dismissed the SLP bearing No. 15217/2024 by order dated 17-05-2024. As a result, the Directorate General Assam Rifles vide order No. Rec(Adm-I)/Ajay Kumar/Court Case/2024/112 dated 19-07-2024 conferred the rank and status of Warrant Officer at the entry grade to the aforesaid 192 personnel w.e.f. the date of their respective entry into service.

The appellants in this present writ appeal, who are serving as Havildar (clerk) in Assam Rifles, have filed WP(C) No.244 of 2019 praying for issuance of mandamus directing the respondents to grant the benefit of rank structure, status and pay-scale of Assistant Sub-Inspector (Warrant Officer) in the pay-scale of Rs.1320-2040 (revised Rs.4000- 6000) w.e.f. the date of enrollment in terms of the Judgment and Order 2025:MLHC:182-DB dated 23-08-2012 passed by the erstwhile Guwahati High Court, Shillong Bench in WP(C) No.277 (SH) of 2010.

The learned Single Judge vide impugned Judgment dated 05-12- 2022 dismissed the writ petition by holding that the appellants are not entitled to the benefits of the Judgment and Order dated 23-08-2012 passed in WP(C) No. 277 (SH) of 2010 as they did not join the issue with their colleagues in the first round of litigation and the Judgment and Order dated 23-08-2012 is a judgment in personam. The learned Single Judge further held that the appellants cannot seek parity of any kind as they are enrolled under the relevant Recruitment Rules of 2002 and the rules have not been challenged. Moreover, the appellants are fence-sitters as they did not choose to align with the 87(sic 89) petitioners when they filed WP(C) No. 277 (SH) of 2010 and, hence, the principle of delay and laches and acquiescence can be attributed to their action.

Assailing the impugned judgment dated 05-12-2022, Mr. B. Pathak, learned Counsel for the appellants, submits that the appellants in the present case are similarly situated with the petitioners in WP(C) No. 277 (SH) of 2010 and, therefore, entitled to the similar benefits as they are also serving in the same clerical trade and performing equal duties. He submits that the Judgment and Order dated 23-08-2012 is a judgment in rem as the direction made therein is meant to be implemented for the purpose of bringing parity in respect of rank structure and pay of the 2025:MLHC:182-DB Assam Rifles clerical cadre. He further submits that the Recruitment Rules of 2002 was in force when the judgment and order dated 23-08-2012 was passed in WP(C) No. 277 (SH) of 2010 and, hence, the said rules cannot come in the way of conferring benefit to the appellants. By referring to the implementation order dated 21-06-2016, the learned Counsel submits that it is clear from the contents thereof that the competent authority had approved the introduction of the post of Warrant Officer at the entry grade to bring parity in respect of rank structure of Assam Rifles clerical grade at par with other CPOs and such benefit was to be extended to all the persons in the clerical cadre. The learned Counsel further contends that since the benefit of the Judgment and Order dated 23- 08-2012 and subsequent implementation order dated 21-06-2016 are to be applied to the entire clerical cadre of the Assam Rifles, the learned Single Judge could not have denied the relief to the appellants on the ground of delay and laches by terming them fence-sitters. He submits that in any view of the matter, the impugned Judgment dated 05-12-2022 cannot be sustained in law and facts and is liable to be interfered with. The judgment of Union of India v. Dineshan K.K., (2008) 1 SCC 586 is pressed into service by the learned Counsel.

Mr. R. Debnath, learned CGC, on the other hand, contends that the appellants herein are not similarly situated with the petitioners in WP(C) No. 277 (SH) of 2010 and, hence, cannot claim benefit of the Judgment 2025:MLHC:182-DB and Order dated 23-08-2012. He submits that the appellants have entered into service after 28-10-2002 when the amended Recruitment Rules of 2002 was in force and, as such, are guided by the stipulation made in the said rules, wherein the post of Warrant Officer (clerk) is not provided as an entry grade post in the clerical cadre of the Assam Rifles. He further submits that the conferment of benefit to the 89 petitioners in WP(C) No. 277 (SH) of 2010, who were enrolled in the clerical cadre of Assam Rifles after 28-10-2002, was through oversight and inadvertence and the appellants cannot claim any benefit out of that as there can be no claim based on negative equality.

For deciding the controversy between the parties, it would be appropriate to refer to the operative part of the Judgment and Order dated 23-08-2012 in WP(C) No.277 (SH) of 2010 which is

reproduced below: -

"14. In the result, this writ petition stands disposed of with the direction to the respondent No.2, the Director General of Assam Rifles to take up the matter again with the respondent No.1, i.e. the Secretary to the Govt. of India, Ministry of Home Affairs to bring parity in respect of rank structure and pay of the Assam Rifles clerical cadre at par with other CPOs by introducing rank of Assistant Sub-Inspector (Warrant Officer) at the entry grade w.e.f. 1.1.1986 in the scale of pay of RS1320-2040 (revised Rs. 4000-6000) w.e.f. 1.1.1996 or any other date as the authority deem it fit and proper with all consequential benefits in the light of the Government of India, Ministry of Finance resolution dated 20-09-1997 communicated through MH. Letter bearing No.2701-02/1/97 PC Cell/Pef-1 dated 10.10.1997. The whole exercise would be completed within a period of 6 (six) months from the date of receipt of a certified copy of this judgment and order."

2025:MLHC:182-DB The learned Single Judge denied relief to the appellants by treating the aforesaid Judgment and Order dated 23-08-2012 as judgment in personam. Normally, a judgment which binds only those who are parties to it, is known as judgment in personam. Judgments, mention of which are made in Section 41 of the Indian Evidence Act, 1872 (Section 35 of The Bharatiya Sakshya Adhiniyam, 2023), are referred to as judgment in rem. Though, definition of judgment in rem has not been provided anywhere, it has been understood as meaning a judgment which is conclusive not only against the parties, but also against the whole world. Perusal of the operative part of the Judgment and Order dated 23-08-2012 would unambiguously show that the direction was issued for taking appropriate steps for bringing parity in respect of rank, structure and pay of the entire Assam Rifles clerical cadre at par with other CPOs. The direction was not confined to giving benefit only to the persons who were petitioners in that case. It is apparent that the intention was to give benefit to all similarly situated persons, whether they approached the Court or not. Thus, it is crystal clear that the Judgment and Order dated 23-08-2012 is a judgment in rem and not a judgment of in personam.

The Hon'ble Supreme Court in State of Uttar Pradesh and Others v. Arvind Jumar Srivastava and Others reported in (2015) 1 SCC 347 has observed as follows:

2025:MLHC:182-DB 22.1. The normal rule is that when a particular set of employees is given relief by the court, all other identically situated persons need to be treated alike by extending that benefit. Not doing so would amount to discrimination and would be violative of Article 14 of the Constitution of India.

This principle needs to be applied in service matters more emphatically as the service jurisprudence evolved by this Court from time to time postulates that all similarly situated persons should be treated similarly. Therefore, the normal rule would be that merely because other similarly situated persons did not approach the Court earlier, they are not to be treated differently.

22.2. However, this principle is subject to well recognized exceptions in the form of laches and delays as well as acquiescence. Those persons who did not challenge the wrongful action in their cases and acquiesced into the same and woke up after long delay only because of the reason that their counterparts who had approached the court earlier in time succeeded in their efforts, then such employees cannot claim that the benefit of the judgment rendered in the case of similarly situated persons be extended to them. They would be treated as fence-sitters and laches and delays, and/or the acquiescence, would be a valid ground to dismiss their claim.

22.3. However, this exception may not apply in those cases where the judgment pronounced by the court was judgment in rem with intention to give benefit to all similarly situated persons, whether they approached the court or not. With such a pronouncement the obligation is cast upon the authorities to itself extend the benefit thereof to all similarly situated persons. Such a situation can occur when the subject-matter of the decision touches upon the policy matters, like scheme of regularization and the like. On the other hand, if the judgment of the court was in personam holding that benefit of the said judgment shall accrue to the parties before the court and such an intention is stated expressly in the judgment or it can be impliedly found out from the tenor and language of the judgment, those who want to get the benefit of the said judgment extended to them shall have to satisfy that their petition does not suffer from either laches and delays or acquiescence."

2025:MLHC:182-DB It emerges from the above that when a particular set of employees is given relief by the Court, the other identically situated persons shall be treated alike and not doing so would amount to discrimination and, therefore, violative of provisions of Article 14 of the Constitution of India. In such a situation, the authorities are obligated to extend the benefit thereof to all similarly situated persons. It is settled by now, specially in service law, that all similarly situated persons should be treated similarly. Even, the principles of delay and laches as well as acquiescence are of not much relevance for consideration of relief claimed in the case.

The law laid down by the Apex Court in Arvind Kumar Srivastava (supra) has been followed in Shoeline Vs. Commissioner of Service Tax & Ors. (2017) 16 SCC 104.

Before the coming of the Recruitment Rules of 2002 on 29-10- 2002, recruitment of clerks in the Assam Rifles were made in the post of Lance Naik (Writer). The post of Warrant Officer was introduced by the Assam Rifles at the entry grade of the clerical cadre in compliance of the Court's order as an ex-cadre post in terms of the recommendation of the 5th Central Pay Commission without any provision in the recruitment rules. There is no mention of any rank/post equivalent to Assistant Sub- Inspector (Warrant Officer) in the recruitment rule which was in existence prior to 2002 and also in the Recruitment Rules of 2002. The recruitment rules framed in the year 2002 has only renamed the post of Lance Naik 2025:MLHC:182-DB (Writer) as Havildar (Clerk). The concept of Warrant Officer came from the recommendation of the 5th Central Pay Commission. The Recruitment Rules of 2002 was in force when the Judgment and Order dated 23-08- 2012 in WP(C) No. 277 (SH) of 2010 was delivered and the Directorate of Assam Rifles had to introduce the rank and pay of Warrant Officer at the Entry Grade of the clerical cadre as Ex-cadre post without the same being provided in the recruitment rule. Hence, the Recruitment Rules of 2002 cannot be an impediment to the grant of relief claimed for by the appellants in the writ petition.

There is no dispute to the fact that both the posts of Warrant Officer (Clerk) and Havildar (Clerk) are entry level posts at the Assam Rifles clerical trade. There is no difference of requisite qualification and performance of duty between the two posts. The normal rule is that when a particular set of employees is given relief by the Court, all other similar and identically situated persons should be treated alike by extending the same benefit. There cannot be selective implementation, particularly when the judgement passed by the Court was a judgement in rem, to create unreasonable classification. There cannot be two different entry grades to one Clerical Trade where some employees get higher rank and pay of Warrant Officer and other similarly situated employees get lesser rank and pay of Havildar. Simply because, the appellants herein did not come to Court and joined the first round of litigation, they cannot be deprived of 2025:MLHC:182-DB their legitimate rights. The respondents/employers are under legal obligation to grant the benefit to all these similarly situated employees, notwithstanding the fact as to whether they approached the Court or not.

It is pertinent to mention that the set of all the 89 persons, who received the benefit of financial upgradation and rank and status of the Warrant Officer by order No. Rec(Adm-I)/MACPS (Court Case)/2019/320 dated 12-04-2019, have entered into the service after 28-10-2002. Another batch of 192 persons, who were conferred with the same benefit vide order No. Rec(Adm-I)/Ajay Kumar(Court Case)/2024/112 dated 19- 07-2024 consequent to the Judgment dated 17-02-2023 passed in WP(C) No. 198 of 2019, have also entered the service after 28-10-2002. Both the sets of the aforesaid persons were enrolled in the service of the Assam Rifles after the Recruitment Rules of 2002 came into force. In such a situation, the contention raised on behalf of the respondents that the appellants are not entitled to the benefit as the post of Warrant Officer is not sanctioned by the rule is totally untenable and stands rejected.

The ground of delay and laches as well as acquiescence raised on behalf of the respondents is also not tenable in view of the law laid down by the Hon'ble Supreme Court in Arvind Kumar Srivastava (supra) as discussed above. The respondents by no stretch of imagination can discriminate the appellants by treating them as employees belonging to a different class by making unreasonable classification and deny them the 2025:MLHC:182-DB benefit which they are entitled to by virtue of the Judgment and Order dated 23-08-2012 passed in WP(C) No.277 (SH) of 2010 and subsequent approval of implementation issued vide Memo No. MHA U.O. 27013/2/2016.PF.IV dated 21-06-2016 of the Ministry of Home Affairs. I also endorse the reasons given by my learned brother on the issue of delay.

For what has been discussed above, the appellants have made out a case for interference with the impugned Judgement dated 05-12-2022 passed in WP(C) No.244 of 2019 and the same is hereby set aside. Resultantly, the appellants are entitled to the relief claimed by them in the writ petition.

The respondents are directed to issue necessary order granting the benefit of rank and pay of Warrant Officer to the appellants w.e.f. their respective date of appointment in terms of the benefits already extended to the clerical cadre by implementation of the Judgment and Order dated 23-08-2012 passed in WP(C) No. 277 (SH) 2010. The entire exercise should be completed by the respondents within a period of four months from today.

The writ appeal stands allowed. No costs.

(B. Bhattacharjee) Judge