



**Serial No. 01**  
**Daily List**

**HIGH COURT OF MEGHALAYA**  
**AT SHILLONG**

WA No. 24 of 2024

Date of order: 27.03.2025

1. North Eastern Electric Power Corporation Ltd., a Company registered under the Indian Companies Act, 1956, a Govt. of India Enterprise having its registered Head Office at Lower New Colony, Laitumkrah, Shillong - 793003.
2. The Chairman and Managing Director,  
North Eastern Electric Power Corporation Ltd.,  
Lower New Colony, Laitumkrah, Shillong-793003

**...Writ Appellants**

**-Versus -**

1. Shri. Gurdeep Singh, S/o Shri. Gurmaj Singh,  
R/o Punjabi Colony, Goralane, Laitumkrah, Shillong,  
East Khasi Hills District, Meghalaya.
2. Smti. Sabitri Lama, D/o Shri. Dhanu Lama,  
R/o New Colony, Shillong,  
East Khasi Hills District, Meghalaya.
3. Shri. Suraj Ray,  
S/o Shri. Arjun Ray,  
R/o Nongrim Hills, Shillong,  
East Khasi Hills District, Meghalaya.
4. Shri. Ajay Singh, S/o Robinder Singh,  
R/o Punjabi Colony, Goralane, Shillong,  
East Khasi Hills District, Meghalaya.
5. Shri. Preetimon Riahtam,  
H/o (L) R. Nongkynrih,  
R/o Demseiniong, Shillong,  
East Khasi Hills District, Meghalaya.



6. Shri. Pronoy Kar, S/o Pramod Kar,  
R/o Pynthorbah, Shillong,  
East Khasi Hills District, Meghalaya.
7. Smti. Mamta Mishra, D/o T. N.Mishra,  
R/o Pynthorbah, Shillong,  
East Khasi Hills District, Meghalaya.
8. Smti. Trilian Jyrwa, D/o S. Nonglyer,  
R/o Demseiniong, Shillong,  
East Khasi Hills District, Meghalaya.
9. Shri. Bikram Singh,  
S/o Shri. J. Singh,  
R/o Punjabi Colony, Goralane, Shillong,  
East Khasi Hills District, Meghalaya.
10. Smti. Bina Sangma,  
D/o Shri. Poresh Marak, R/o Pynthorbah, Shillong,  
East Khasi Hills District, Meghalaya.
11. Shri. Jiban Paul,  
S/o Naren Kr. O Paul,  
R/o Pynthorbah, Shillong,  
East Khasi Hills District, Meghalaya.
12. Shri. Kalban Kaur,  
S/o Mukhtar Singh,  
R/o Punjabi Colony, Goralane, Shillong,  
East Khasi Hills District, Meghalaya.

**...Respondents**

---

**Coram:**

**Hon'ble Mr. Justice I.P. Mukerji, Chief Justice**  
**Hon'ble Mr. Justice W. Diengdoh, Judge**

---

**Appearance:**

For the Appellants : Mr. V.K. Jindal, Sr. Adv. with  
Ms.T. Pohlong, Adv.

For the Respondents : Mr. R. Jha, Adv. with  
Mr. S. Chanda, Adv.  
Ms. S. Khatun, Adv.

---



- |     |  |     |
|-----|--|-----|
| i)  | Whether approved for reporting in Law journals etc.: | Yes |
| ii) | Whether approved for publication in press:           | 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: (per the Hon’ble, the Chief Justice) (Oral)**

The writ was filed by 14 part-time cleaners and sweepers working with the Corporation since the year 1985 on purely contractual appointment on ad hoc basis. The earliest appointment was in 1985 and the latest in 2008. As of now, 12 of them survive in this appeal, the names of the other two which were impleaded as respondent Nos. 3 and 6 had been deleted by the order dated 21<sup>st</sup> August, 2024. They claim regularisation.

A learned single judge of this Court by a judgment and order dated 24<sup>th</sup> April, 2024 dismissed the writ petition on principally the following grounds:

The respondents-writ petitioners were part-time workers, their engagement, requiring them to work three hours in a day.

The post in which they were appointed was not sanctioned.



Their appointment was purely contractual, temporary and ad hoc.

Hence, they had no right to regularisation. However, simultaneously in the impugned judgment and order, the learned judge proceeded to observe that the respondents had been “engaged for the entire working day” and proceeded to direct the respondent-Corporation to pay them minimum wages at the relevant rate, including arrears from the date of institution of the writ petition i.e., 19<sup>th</sup> April, 2022.

Learned counsel for the appellants submits that the ultimate finding of the learned judge is flawed for the reason, that having held that the respondents were part-time, temporary and ad hoc workers against non-sanctioned posts, the learned judge could not have awarded them minimum wages, as their working for the whole day was neither pleaded nor proved; this prayer was not even made in the writ petition; neither was any cause of action framed based on compensation for overtime work.

We find merit in this submission.

Although the learned judge has rightly dismissed the writ petition, the addendum providing for minimum wages to the respondents cannot be supported.



We direct that the Chairman of the appellant-Corporation shall nominate any principal officer not below the rank of Director to make an inquiry relating to the average daily length of attendance of each of the respondents as per the attendance register from the date of institution of the writ petition till date. Each of the writ petitioners shall be paid overtime for the number of hours, this average exceeds three hours as an overtime at a rate calculated on an hourly basis at the Central government approved rate for regular employees of this class for the whole period from the date of institution of the writ petition till date. Such inquiry shall be made upon hearing the representative nominated by the respondents followed by a reasoned order within two months of communication of this order.

The impugned judgment and order of the learned single judge stands modified to the above extent only.

This appeal is, accordingly disposed of.

**(W. Diengdoh)**  
Judge

**(I.P. Mukerji)**  
Chief Justice