

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

PIL No. 12 of 2022

Date of order: 19.10.2022

Riewad Vicharwant Warjri & anr vs State of Meghalaya & ors

**Coram:**

**Hon'ble Mr. Justice Sanjib Banerjee, Chief Justice**

**Hon'ble Mr. Justice W. Diengdoh, Judge**

**Appearance:**

For the Petitioners : Mr K. Paul, Sr Adv. with  
Mrs R. Dutta, Adv.

For the Respondents : Mr K. Khan, Sr GA with  
Mr S. Sengupta, Addl Sr GA

The petitioners claim in this public interest litigation that credible reports had been published in several newspapers regarding the blatant misuse of official vehicles by the Police Department and of defalcation of funds pertaining to the acquisition of vehicles.

The present petition was not carried to this Court immediately upon the publication of the articles. Considerable time had elapsed between the initial publication and the filing of the present petition. It is evident that the petitioners waited for some action to be taken by the appropriate authorities and, upon finding no action being initiated, brought this complaint to Court.

When the petition was received on September 30, 2022, the State had submitted that an inquiry had been conducted into the matter and the steps to be taken pursuant to the inquiry were under consideration. The

State had also submitted that charges could be framed against whom prima facie material had been discovered.

The order dated September 30, 2022 called upon the State to file a report through the Secretary in the Home Department, indicating the effective measures taken, including arresting any attempt by those prima facie found to be involved in the racket to remove or dissipate or secret their assets or funds. The report was required to be filed on October 17, 2022.

Though the report appeared to have been available on October 17, 2022 when the matter was taken up, since no affidavit had been prepared to take responsibility for the report, the matter was adjourned till today.

An affidavit has been filed now appending a report. So that such farce is never repeated before a court of law, the perfunctory and most insulting report is set out in its entirety:

“Subsequent to some media houses publishing new items circulated within the state regarding the alleged illegal procurement of vehicles and misuse of the same by some police officials, a Public Interest Litigation has been filed before the Hon’ble High Court and the same has been registered as PIL No. 12 of 2022. The case was heard on 30.07.2022 and the Hon’ble High Court vide order dated 30.07.2022 was pleased to direct the State Respondent to file a report on the 17.10.2022.

The Office of the Director General of Police, Meghalaya, Shillong on the 11<sup>th</sup> October, 2022 has submitted a report of the Enquiry Committee to the Department along with the Article of Charges and Articles of imputation against the erring officer.

The Department after examining the matter with the approval of the competent Authority, Departmental Proceeding against the officer has been initiated.”

No report or affidavit has been filed by the concerned Secretary.

Let a suo motu rule of contempt be issued against the Secretary in the Home Department of the State for deliberately disregarding an order of this Court, trying to obfuscate the issue and stand as an impediment to a fact-finding exercise in the matter of defalcation of public funds. The rule is made returnable on November 2, 2022. The Department will ensure that the rule is drawn up immediately and personally served on the contemnor.

A detailed report as to the quantum of the perceived loss, the extent of the abuse of authority, the manner of misuse of vehicles and the prima facie affixation of responsibility should be available in Court when this matter appears next on the same date.

It is hoped that the State deals with the matter with the seriousness that it deserves.

List on November 2, 2022.

**(W. Diengdoh)**  
**Judge**

**(Sanjib Banerjee)**  
**Chief Justice**

Meghalaya  
19.10.2022  
“Sylvana PS”