
(2006) 04 GAU CK 0050
In the Gauhati High Court

D.Jameshing and Ors.

APPELLANT

Vs

State of Manipur and Ors.

RESPONDENT

Date of Decision : 18-04-2006

Acts Referred:

Citation : (2006) 04 GAU CK 0050

Hon'ble Judges : T.Nanda Kumar Singh, J

Bench : Single Bench

Advocate : Geetarani Devi, Gunindro, Suresh Sarangthem, L.Shyam Kishore Singh, I.Lalit Kumar Singh, Advocates appearing for Parties

Judgement

1. Heard Mr.I.Lalitkumar, learned senior counsel assisted by Miss Geetarani Devi, learned counsel for the petitioners, Mr.L.Shyamkishore, learned senior counsel assisted by Mr.Gunindro, learned counsel for respondent nos.3, 4 and 5 as well as Mr. Suresh Sarangthem, learned counsel appearing on behalf of respondent nos.1 and 2.

[2] The facts of the petitioners' case are very short and simple. According to them, they had appeared before the duly constituted DPC for regular appointment to the advertised posts of Undergraduate/Primary Teachers which was held on 27/11/1999, 28.11.1998, 30.11.1998 and 01.12.1998 at Pallel, Chandel. It is said that the said DPC recommended the names of the petitioners for regular appointment to the post of Primary/Undergraduate Teachers. Vide notification being No.3/10/ADCCDL/83(HQ) PtI dated 15.5.1999 published the names of recommended candidates in which the names of the petitioners appear. On the recommendation of the duly constituted Selection Committee, the petitioners were appointed as Primary/Undergraduate Teachers during the period from May, 1999 to June, 1999. Copies of their appointment orders are available at AnnexuresA/3 to A/33 to the present writ petition.

[3] In the present writ petition, the petitioners are assailing the order of Government of Manipur being No.1/15/2000FC dated 19.3.2001 whereunder it is

made clear that the appointments subsequent to 9.4.1999 in the service of Government of Manipur are to be terminated. The learned senior counsel appearing for respondent no.3 frankly submits that by the subsequent order of the Government of Manipur being No.1/15/2000FC dated 19.6.2002 the cutoff date i.e. 19.4.1999 mentioned in the said impugned order of the Government of Manipur dated 19.3.2001 had been modified as 6.11.1999. Such being the situation, the learned senior counsel frankly submits that the case of the petitioners are not covered by the impugned order of the Government of Manipur dated 19.3.2001 inasmuch as the petitioners were appointed as Primary/Under graduate teachers during the period from May, 1999 to June, 1999. In other words, the petitioners are not going to be terminated in pursuance of the said impugned order of the Government of Manipur dated 19.3.2001 read with the subsequent order of Government of Manipur dated 19.6.2002.

[4] Mr. Suresh, learned counsel for respondent nos.1 and 2 also submits that the case of the petitioners are not covered by the said impugned order of the Government of Manipur dated 19.3.2001 because of the subsequent order of Government of Manipur dated 19.6.2002.

[5] Taking into consideration of the submission of learned counsel of both the parties and also perusal of the subsequent order of Government of Manipur being No.1/15/2000FC dated 19.6.2002 this writ petition is disposed of with the simple direction that the service of the petitioners shall not be terminated under the said order of Government of Manipur dated 19.3.2001.

With the above observation and direction, writ petition is allowed.