
(2021) 12 MAN CK 0029
In the Manipur High Court
Case No : Writ Petition (C) No. 273 Of 2021

Khullakpam Nargish

APPELLANT

Vs

State Of Manipur & 2 Ors

RESPONDENT

Date of Decision : 17-12-2021

Acts Referred:

Citation : (2021) 12 MAN CK 0029

Hon'ble Judges : KH. Nobin Singh, J

Bench : Single Bench

Advocate : N. Jotendro, Seitinmang Haokip

Final Decision : Disposed Of

Judgement

KH. Nobin Singh, J

(Video Conference)

[1] Heard Shri N. Jotendro, learned Senior Advocate appearing for the petitioner and Shri Seitinmang Haokip, learned Advocate appearing for the respondents.

[2] According to the petitioner, her father was the absolute owner of the land being Patta No. 1032 (New) covered by C.S. Dag No. 2140 measuring an area of 0.54 acres situated at Village No. 15-Haoreibi and upon an agreement with the Directorate of Health Services, Manipur, the land was donated to the Department for the construction of Community Health Centre, Lilong with the understanding that the post of Chowkidar would be given to the petitioner. After the construction of the said Community Health Centre, Lilong, the authority failed to consider for providing a post of Chowkidar to the members of the petitioner's family because of which the petitioner's father submitted a representation dated 24-7-2005 to the then local MLA, Lilong Assembly Constituency followed

[3] Recently, the petitioner submitted a representation dated 10-3-2021 requesting the authorities for consideration of her appointment as her father is over-aged for consideration of appointment in terms of the provisions of OM

dated 29-6-1983. Being aggrieved by the inaction on the part of the respondents, the instant writ petition has been filed by the petitioner on the inter alia grounds that in a similar matter being WP(C) No. 758 of 2007, this Court had passed an order dated 10-5-2016, the relevant portion of which reads as under:-

"In view of the submission of learned Advocate for both the parties, the writ petition is disposed of with the direction that the respondents should consider to appoint the petitioner to any Grade-IV post in the Department of Veterinary & Animal Husbandry, Government of Manipur in terms of the office memorandum mentioned above within a period of 4 (four) months."

[4] When the matter was listed on 6-12-2021 and 14-12-2021, it was submitted by Shri N. Jotendro, learned Senior Advocate appearing for the petitioner that since the issue involved herein is covered by the said earlier order, the instant writ petition could also be disposed of in terms thereof. Sufficient time was granted to the respondents for seeking instructions in the matter.

[5] Today, when the matter is taken up for consideration, it has been submitted by Shri Seitinmang Haokip, learned Advocate appearing for the respondents on instruction from his senior that the instant writ petition can be disposed of in terms of prayer No. (iii) in the writ petition by which the respondents could be directed to consider the representation dated 10-3-2021. Since this Court, in a similar matter, had passed an appropriate order, there is no point of keeping the writ petition pending and moreover, the direction given by this Court in WP(C) No. 758 of 2007 was to direct the respondents to consider the case of the petitioner therein and therefore, the instant writ petition stands disposed of with the direction that the respondents shall consider the case of the petitioner for appointment to any Grade-IV post under the Land Donation Scheme in view of the Office Memorandum dated 26-3-1983 issued by the Department of Personnel and Administrative Reforms, Government of Manipur within a period of four months from today.