

(2025) 04 MAN CK 0524

In the Manipur High Court

Case No : Writ Petition (C) No. 313 Of 2025, Miscellaneous Case (Writ Petition (C)) No. 295 Of 2025

Mayanglambam Indubala Devi & Anr

APPELLANT

Vs

State Of Manipur & 6 Ors

RESPONDENT

Date of Decision : 15-04-2025

Acts Referred:

Manipur Civil Service (Appointment And Other Service Conditions Of Employees Of Government Aided/Private Institutions Taken Over By The Government) Rules, 1981 — Rule 7

Citation : (2025) 04 MAN CK 0524

Hon'ble Judges : Ahanthem Bimol Singh, J

Bench : Single Bench

Advocate : Ng. Jotindra Luwang, L. Monomala, S. Jasobanta

Judgement

Ahanthem Bimol Singh, J

Heard Mr. Ng. Jotindra Luwang, learned counsel appearing for the petitioner.

Issue notice, returnable within 4(four) weeks.

Mrs. L. Monomala, learned GA entered appearance and accepts notice on behalf of respondents No. 1 to 6 and Mr. S. Jasobanta, learned counsel entered appearance and accepts notice on behalf of respondent no. 7, hence no formal notice is called for.

The case of the petitioners is that after taking over of the Private/Aided colleges wherein all the husbands of the petitioners were serving and in pursuance of the provision under Rule 7 of the Manipur Civil Service (Appointment and other service conditions of employees of Government Aided/Private Institutions taken over by the Government) Rules, 1981, the Government issued an order dated 07.03.2019 absorbing the husbands of the petitioners and others into government service w.e.f. 22.01.2019 and also ordering the protection of their past services and their pay protection with notional effect including pension and

gratuity in respect of the employees of the erstwhile private/aided colleges including the husbands of the present petitioners. Subsequently without giving any notice or without giving any opportunity of hearing, the respondents unilaterally issued an Office Memorandum dated 11.12.2023 thereby keeping abeyance to the order issued in favour of the husbands of the petitioners. It is also the case of the petitioners that in the minutes of the meeting of the committee for linking up of past service for pensionary benefits held on 29.01.2025 by the officials of the State Government, certain decisions about the applicability of the pension rules in respect of the husbands of the petitioners and others were taken. According, to the petitioners, such action of the State Government is unwarranted and illegal inasmuch as, the said Office Memorandum and the said decision taken in the aforesaid proceeding adversely affect the accrued right of the petitioners without following the principle of natural justice.

The learned counsel appearing for the petitioners prays for passing an interim order for protecting the right and interest of the present petitioners.

Mrs. L. Monomala, learned GA appearing for the respondents, seeks sometime to get instructions from the authorities and to hear the prayer for passing interim order on the next date.

As prayed for by the learned counsel appearing for the respondents, list these cases again on 07.05.2025 for consideration of the prayer for passing interim order.

In the meantime, it is hereby directed that the impugned Office Memorandum dated 11.12.2023 and the decision taken in the aforesaid committee meeting held on 29.01.2025 shall not be applicable in the case of the husbands of the present petitioners till the next date of hearing.