

(2023) 03 MAN CK 0014
In the Manipur High Court
Case No : Writ Petition (C) No. 210 Of 2023

Ningthoujam Thoibi Devi

APPELLANT

Vs

State Of Manipur & 73 Ors

RESPONDENT

Date of Decision : 03-03-2023

Acts Referred:

Citation : (2023) 03 MAN CK 0014

Hon'ble Judges : Ahanthem Bimol Singh, J

Bench : Single Bench

Advocate : Ajoy Pebam, S. Niranjana

Judgement

Ahanthem Bimol Singh, J

Heard Mr. Ajoy Pebam, learned counsel appearing for the petitioner.

Issue notice returnable within four weeks.

Mr. S. Niranjana, learned GA enters appearance and accepts notice on behalf of the respondents No. 1 to 4, hence no formal notice is called for in respect of the said respondents.

In so far as the respondents No. 5 to 74 are concerned, it has been submitted by the counsel for the petitioner that despite effort made by the petitioner, the detailed particulars and addresses of the said respondents could not be traced out. Accordingly, learned counsel made a prayer for allowing the petitioner to take steps for service of notice upon the respondents No. 5 to 74 by way of substituted service by publishing the notice in two local newspapers (one in English and one in Manipuri) for two consecutive days. Prayer is allowed. Steps should be taken within two weeks. Petitioner is also directed to file an affidavit showing proof of service of notice upon the said respondents.

It has been submitted by the learned counsel for the petitioner that in the draft seniority list of Head Constable, the name of the petitioner appeared at Sl. No. 2 and that the petitioner is one of the senior most candidate in the grade of Head

Constable and the petitioner is also qualified for promotion to the post of ASI in terms of the relevant provisions of the Recruitment Rule, however, the case of the petitioner had been overlooked by the authorities in a most arbitrary manner. Accordingly, learned counsel prays for passing an interim order for suspending the promotion of the private respondents. The prayer for passing interim order will be considered on the next date.

As prayed for by the learned GA, list this case again on 17th March, 2023.

Learned GA is directed to produce the proceedings of the DPC held on 01-02-2023 for promotion of Head Constable to the rank of ASI of Police (Female) and to place it before this Court without fail. It is also made clear that if the respondents failed to produce the proceedings of the said DPC, an adverse inference will be taken by this Court.

Furnish a copy of this order to Mr. S. Niranjana, learned GA through his Whatsapp/ E-mail for doing the needful.