
(2006) 07 GAU CK 0018
In the Gauhati High Court

Oinam Ibemhal Devi

APPELLANT

Vs

State of Manipur and Anr.

RESPONDENT

Date of Decision : 17-07-2006

Acts Referred:

Citation : (2006) 07 GAU CK 0018

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

Bench : Single Bench

Advocate : R.S.Reisang, Kh.Premikanta, Advocates appearing for Parties

Judgement

1. Heard Mr. Kh. Premikanta, learned counsel for the petitioner as well as Mr. R.S. Reisang, learned Govt. Advocate for the respondents.

2. Considering the innocuous prayer made in the present writ petition, this writ petition is disposed of at this stage. The short factual matrixes of the petitioner's case is that the petitioner was appointed by promotion on ad hoc basis to the post of Child Development Project Officer (for short CDPO) in the Social Welfare Department for the period of six months under the order of the Government of Manipur being No.29/37/89 SE (SW) Imphal, dated 7.5.1999. In pursuance of the said order of the Government of Manipur, petitioner joined the higher post i.e. Child Development Project Officer (for short CDPO) in the Social Welfare Department. It is also said that the term of ad hoc appointment of the petitioner as Child Development Project Officer (for short CDPO) had been extended from time to time by passing different orders viz. order dated 21.11.2000 and 7.4.2001. Ultimately, the ad hoc service of the petitioner as Child Development Officer (for short CDPO) had been regularized on the recommendation of the Departmental Promotion Committee in association with Manipur Public Service Commission vide order of the Govt. of Manipur being No.8/16/97S (SW) PtI Imphal, dated 18.02.2002. Even if the petitioner had continued in service as Child Development Project Officer (for short CDPO) on ad hoc basis since from the date of her initial ad hoc appointment dated 7.8.1999 till the regularization of ad hoc service as Child Development Project Officer (for short CDPO) under the

said order of the Government of Manipur dated 18.02.2002, no extension order for extending the ad hoc service of the petitioner as Child Development Project Officer (for short CDPO) from 31.03.2001 to 17.02.2003 has been issued by the competent authority till date. Being aggrieved by nonextension of the term of the ad hoc service of the petitioner as Child Development Project Officer (for short CDPO) from 31.3.2001 to 17.2.2003, petitioner approached the concerned authority for linking up of her service as ad hoc Child Development Project Officer (for short CDPO). The Director, Social Welfare , Govt. of Manipur under his letter dated 5.3.2004 requested the Under Secretary(Social Welfare), Govt. of Manipur for taking up necessary action by issuing order for linking up the ad hoc service of the petitioner as Child Development Project Officer (for short CDPO). Later on, the Joint Director (WCD) also under his letter dated 21.06.2005 requested the Secretary (Social Welfare), Govt. of Manipur for issuing necessary order for linking up the ad hoc service of the petitioner as CDPO for the period from 31.3.2001 to 17.2.2002. Copies of the said letter of the Director of Social Welfare, Govt. of Manipur dated 5.4.2004 and the said letter of the Joint Director (WCD) dated 21.6.2005 have been annexed in the present writ petition.

3. Mr. R. S. Reisang, learned Govt. Advocate appearing for the respondents also submits that as per the instruction furnished by the Under Secretary (SW), Govt. of Manipur under his letter dated 28.02.2005 to the learned Govt. Advocate, active consideration for linking up the ad hoc service of the petitioner as Child Development Project Officer (for short CDPO) w.e.f. 31.01.2001 to 17.02.2003 is going on.

4. Taking into consideration of the submission of learned counsel for both the parties and also perusal of the said 2(two) letters i.e. i) The Director, Social Welfare, Govt. of Manipur dated 5.3.2004 and ii) The Joint Director (WCD) dated 21.6.2005, this writ petition is disposed of by directing the respondents to take up necessary steps for linking up the ad hoc service of the petitioner as Child Development Project Officer (CDPO) from 31.3.2001 to 17.02.2003 as suggested and requested by the Director, Social Welfare, Govt. of Manipur as expeditiously as possible by issuing necessary order.

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