
(2021) 11 MAN CK 0013
In the Manipur High Court
Case No : Writ Petition (C) No. 578 Of 2021

Sanasam Shyamaanda Mangang

APPELLANT

Vs

State Of Manipur & 2 Ors

RESPONDENT

Date of Decision : 16-11-2021

Acts Referred:

Citation : (2021) 11 MAN CK 0013

Hon'ble Judges : KH. Nobin Singh, J

Bench : Single Bench

Judgement

KH. Nobin Singh, J

(Video Conference)

Notice in the matter was issued on 6-9-2021 wherein it has been observed by this Court that the prayer for interim order will be considered on the next date. On 5-10-2021, when the matter was taken up for consideration again, there was a prayer on behalf of respondent Nos. 1 & 2 for filing counter and accordingly, the matter was adjourned till today. So far as respondent No. 3 is concerned, notice was received by him on 8-10-2021 but no counter has so far been filed by him as well.

The validity and correctness of the order dated 20-8-2021 is under challenge in this writ petition on the ground that even though the petitioner is senior to the private respondent and without considering the case of the petitioner, the private respondent has been given the power to look after the work of AE, Kakching. The contention of the learned counsel appearing for the petitioner is that the private respondent was absorbed/regularized as Technical Assistant Grade-I which is equivalent to Section Officer Grade-I in the year, 2016 and in view of the law laid down by the Hon'ble Supreme Court, the senior person is to be considered for appointment on in-charge basis even for the next higher post.

In view of the above, list the matter on 7-12-2021 so as to enable the learned

counsel appearing for the respondents to file counter in the matter and till then, the impugned order dated 20-8-2021 shall remain suspended in respect of the private respondent as regards the portion of the order by which the private respondent was allowed to look after the work of AE, Kakching.