
(2006) 04 GAU CK 0052
In the Gauhati High Court

State of Manipur and Anr.

APPELLANT

Vs

Chabungbam Thoibisana Devi and Ors.

RESPONDENT

Date of Decision : 12-04-2006

Acts Referred:

Citation : (2006) 04 GAU CK 0052

Hon'ble Judges : M.B.K.Singh, J and T.Nanda Kumar Singh, J

Bench : Division Bench

Advocate : N.Ibotombi Singh, Shanta Khaidem, H.S.Paonam, R.S.Reisang,
Advocates appearing for Parties

Judgement

M.B.K. Singh, J.—This appeal is directed against the judgment and order of the learned Single Judge of this Court passed on 12.6.2000 in Civil Misc. Case No.182 of 2000. The impugned judgment and order directed the present appellants to announce the result of the DPC which had been held on 01.12.1999 in continuation with the filling up of vacant posts of APP on direct recruitment, within 7 days from the date of order. The learned Single Judge passed the impugned judgment and order by disposing of the application filed by the present appellants praying for modification of the earlier order which had been passed in WP(C) No.355 of 2000 on 06.4.2000 directing them to announce the result of the said DPC within a period of one week from the date of judgment.

2. We have heard Mr.R.S.Reisang, learned Addl. Govt. Advocate appearing on behalf of the appellants, Mr.N.Ibotombi, learned counsel appearing on behalf of the respondents 3, 4 and 5, Mr.Shanta Khaidem, learned counsel appearing on behalf of the respondents 1 and 2 and Mr.H.S.Paonam, learned counsel appearing on behalf of the respondents 6 and 7.

3. On careful perusal considerations of the impugned judgment and order, in the light of the submissions made by the parties through their respective counsel, we find that the learned Single Judge discussed all the objections raised before him and that the impugned direction for announcement of the result of the DPC was

made having regard to the facts and circumstances of the case including the directions of this Court in WP(C) No.57 of 1999 on 09.6.1999 for holding test not later than one month from the date of receipt of that order and that the said direction was passed with an observation that it should not be taken as a precedent in other cases. We do not find any illegality or perversity in the impugned judgment and order. In view of this finding, we are not inclined to interfere with the said direction for announcement of the result of the DPC. The subsequent developments brought to the notice of this Court are not sufficient to interfere with the impugned judgment and order. It is to be noted that the direction was only for announcement of the result of the said DPC. It is for the State Government to decide if the recommendation of the DPC is to be accepted or not. Further, it is for the State Government to decide if the vacant posts of Addl.PP, in respect of which, the advertisement was made, are to be filled up or not and if they are to be filled up, when they are to be filled up.

4. In the result, this appeal is rejected. The appellants are directed to announce the result of the said DPC held on 01.12.1999 within 7(seven) days from the date of receipt of a copy of this order. No order as to costs.