

**IN THE HIGH COURT OF MANIPUR  
AT IMPHAL**

**WP(C)No.58 of 2020**

Ningthoujam Devdas Singh aged about 30 years S/o Ningthoujam Ibochouba Singh of Keiranphabi village, Po & PS Moirang Bishnupur District, Manipur.

***...Petitioner***

***– Versus –***

1. The State of Manipur represented by the Commissioner/Secretary, (Home), Government of Manipur having his office at the Secretariat Office, Babupara, Imphal West District, Manipur.
2. The Director General of Police, Government of Manipur having his office at the Police Headquarters, Imphal, Babupara, District Imphal West, Manipur.

***.... Respondents.***

***With***

**WP(C)No.224 of 2022**

Ningthoujam Devdas Singh aged about 30 years S/o Ningthoujam Ibochouba Singh of Keiranphabi village, Po & PS Moirang Bishnupur District, Manipur.

***...Petitioner***

**– Versus –**

1. The State of Manipur, through the Commissioner/Secretary (Home),  
Govt. of Manipur, Secretariat South Block, PO & PS Imphal, Imphal  
West District, Manipur-795001 **& 34 Ors.**

***.... Respondents.***

BEFORE

**HON'BLE THE ACTING CHIEF JUSTICE MR. M.V. MURALIDARAN**

|                          |   |                                                                                                         |
|--------------------------|---|---------------------------------------------------------------------------------------------------------|
| For the Petitioner       | : | Mr. Kh. Tarunkumar, Sr. Adv.                                                                            |
| For the Respondents      | : | Mr. Shyam Sharma, GA; Mr. RS<br>Reisang, learned sr. adv MPSC<br>and Mr. L. Anand, Private respondents. |
| Date of reserved.        | : | 27.04.2023                                                                                              |
| Date of Judgment & Order | : | 03.05.2023.                                                                                             |

**JUDGMENT & ORDER**  
**(CAV)**

Heard Mr. Tarunkumar learned senior counsel for the petitioner; Mr. Shyam Sharma learned Government Advocate for the State respondents; Mr. Reisang, the learned senior counsel for the Manipur State Public Service Commission and Mr. L. Anand, the learned counsel for the private respondents in W.P.(C) No.224 of 2022.

2. W.P.(C) No.58 of 2020 has been filed by the petitioner for issuance of a writ of mandamus directing the State authorities to consider the case of the petitioner for promotion to the next higher post of Inspector in Manipur Police Department.

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3. W.P.(C) No.224 of 2022 has been filed by the petitioner to quash the impugned final seniority list dated 6.3.2020 in respect of the petitioner and also to quash the proceedings of the DPC meeting held on 26.10.2021 for promotion to the post of Inspector of Police, including the order dated 15.12.2021 and to direct the respondents to promote the petitioner to the post of Inspector of Police by holding a fresh DPC with effect from the date when his batch mates are promoted to the said post by treating his date of appointment as 2.3.2007 with all consequential benefits including seniority and monetary benefits.

4. Brief facts are as follows:-

The petitioner had applied for the post of Sub-Inspector of Police in Manipur Police Department in the year 2006, however, he was not selected. Being unsatisfied, the petitioner approached this Court by filing writ petition challenging the legality of the said recruitment and the said writ petition was allowed by this Court wherein the official respondents were directed to re-evaluate the answer sheets of the petitioner and after re-evaluation, if it is found that he had secured more marks than the selected candidates, the petitioner

shall be given appointment from the date when other candidates were appointed or if he secured more marks than the last selected candidate, he shall be given appointment by replacing the last selected candidate.

4.1. Challenging the said order, the State Government had preferred SLP before the Hon'ble Apex Court and the SLP was converted into Civil Appeal and the same was dismissed by the Hon'ble Apex Court by directing the State Government to appoint the petitioner from the date of other selected candidates were appointed to the post of Sub-Inspector in Manipur Police Department. Pursuant to the order of the Hon'ble Apex Court, the petitioner was appointed to the post of Sub-Inspector of Police in the Manipur Police Department. However, his appointment was not given with effect from the date of other candidates were appointed to the post of Sub-Inspector of Police.

4.2. In 2018, a seniority list was published wherein the petitioner's name appeared at Serial No.19 showing his date of appointment as 18.12.2014. After getting some reliable information that a DPC is going to be held for promotion to the post of Inspector of Police in Manipur Police Department and his name was not included in the list of eligible officers, the petitioner has filed W.P.(C) No.58 of 2020 praying for inclusion of his name in the list of eligible officers. By the order dated 26.1.2020, this Court passed an interim order directing the respondents to keep one post of Inspector of Police unfilled. While the said writ petition is pending, a final seniority list was published and 52 Sub-Inspectors

were appointed on promotion to the post of Inspector of Police including some of his juniors. Again on 6.3.2020, a final seniority list of Sub-Inspectors of Police was published wherein the name of the petitioner appeared at Serial No.7 showing his date of appointment as 18.12.2014 instead of 2.3.2007. Soon after the imposition of nationwide lockdown due to Covid-10 pandemic, the petitioner could not get contact his counsel regarding development of the said case. Later on, it was learnt that his counsel expired during the pandemic.

4.3. On 15.12.2021, 31 Sub-Inspectors were appointed on promotion to the post of Inspector of Police without considering the case of the petitioner. Being aggrieved by the same, the petitioner had filed W.P.(C) No.988 of 2021 before this Court challenging the legality of the seniority list dated 6.3.2020 and also the proceedings of the DPC held on 26.10.2021 for promotion to the post of Inspector of Police and also to quash the promotion order dated 15.12.2021. Because of a communication gap between him and his counsel, he could not highlight the filing of W.P.(C) No.58 of 2020 before this Court. Hence, W.P.(C) No.988 of 2021 was withdrawn with liberty to file a fresh petition. Now the petitioner has filed W.P.(C) No.224 of 2022 challenging the seniority list dated 6.3.2020 and promotion order dated 15.12.2021 with a further prayer to hold a fresh review DPC to consider the case of the petitioner for promotion to the post of Inspector of Police.

5. Resisting W.P.(C) No.58 of 2020, the Director General of Police has filed affidavit-in-opposition stating that in the year 2018, a DPC process was initiated for filling up of 56 vacant posts of the Inspector of Police from Sub-Inspector of Police by way of promotion. The said DPC was held with the consultation of MPSC. The name of the petitioner was included in the list of eligible Sub-Inspectors (Male/Civil) within the zone of consideration as per the seniority list as the name of the petitioner was placed at Serial No.16. However, at the relevant point of time, the petitioner had not rendered 5 years regular service in the grade of Sub-Inspector. Therefore, he was not qualified for promotion to the post of Inspector of Police. It is stated that as per the direction of the Hon'ble Apex Court dated 30.6.2014 in Civil Appeal No.5922 of 2014, the petitioner was appointed to the post of Sub-Inspector vide order dated 22.12.2014 with the observation that his seniority position shall be fixed on the date of appointment issued by the DGP vide order dated 18.12.2014. At the time of issuance of the message dated 7.11.2019, the petitioner was not at all qualified for promotion to the post of Inspector of Police, as he has not rendered 5 years regular service in the grade of Sub-Inspector of Police. The DPC was held on 26.10.2021 in consultation with the MPSC and the State Government appointed 31 Sub-Inspector of Police on promotion to the post of Inspector of Police vide order dated 15.12.2021.

6. Resisting W.P.(C) No.224 of 2022, the MPSC filed affidavit-in-opposition stating that the Home Department, Government of Manipur, had conveyed that the seniority of the petitioner has to be fixed notionally from the date on which seniority of other officers recruited under the same DPC is fixed and, accordingly, vide order dated 21.7.2016 fixed the seniority of the petitioner notionally with effect from 26.2.2007 i.e. the date on which seniority of the other officers recruited under the same DPC is fixed. It is stated that at the relevant time in which 52 Sub-Inspectors of Police were promoted to the post of Inspector of Police, the petitioner has not rendered 5 years regular service in the grade of Sub-Inspector as per the Recruitment Rules, 1996. Therefore, the petitioner was not qualified for promotion to the post of Inspector. At the time of issuance of WT message dated 7.11.2019 i.e. at the time of initiation of the DPC held on 26.10.2021, the petitioner was not at all qualified for promotion to the post of Inspector, as he has not rendered 5 years regular service in the grade of Sub-Inspector. It is stated that the Home Department, vide order dated 15.12.2021, has also appointed another 4 Sub-Inspectors of Police to the post of Inspector under out-of-turn category and the DPC was delayed due to Covid-19 pandemic in the State. Though many of the sub-Inspectors serving in different units/Districts had filed objection on the draft seniority list, the petitioner failed to do so. Thereafter, the DGP, vide order dated 6.3.2020, had published the final seniority list of Sub-Inspectors after considering and disposing of the

objection raised by different Sub-Inspectors of Police serving in different units/Districts of Manipur Police Department.

7. The private respondents 8 to 9, 21 to 24 and 26 to 35 have filed affidavit-in-opposition stating that as per the order dated 18.12.2014 issued by the DGP, the effective date of appointment of the petitioner as Sub-Inspector of Police is 18.12.2012 and the seniority position of the petitioner has been fixed on 18.12.2014. The order dated 21.7.2016 issued by the DGP in partial modification of the earlier order dated 18.12.2014 was only in respect of fixing the seniority of the petitioner notionally on 26.2.2007 i.e. the date on which seniority of other officers recruited under the same DPC and not in respect of modification of the effective date of appointment of the petitioner remained the same i.e. 18.12.2014, which was not questioned or challenged by the petitioner. It is stated that the date of appointment of the petitioner in the seniority list dated 1.11.2018 has been clearly given as 18.12.2014 with remark that his seniority is fixed notionally from the date on which the seniority of other officers recruited under the same DPC is fixed i.e. 26.2.2007. This very position of the petitioner in the final seniority list of Sub-Inspectors of Manipur Police Department as on 1.11.2018 was also not challenged by the petitioner. It is also stated that the DPC proceedings which was held on 26.10.2021 is for filling up of the vacancy to the post of Inspector of Police that arose in April, 2019 and the said DPC was held in accordance with WT message of the IGP dated 7.11.2019. As per the

Recruitment Rules, the post of Inspector of Police (Male) is a selection post and it can be filled up by the Matriculate/HSLC or its equivalent Sub-Inspector of Police who has passed the Departmental Examination and completed 5 years of regular service in the grade.

8. Assailing the impugned seniority list, proceedings of the DPC and the order of appointment given to the private respondents and others, the learned counsel for the petitioner submitted that the appointment of the petitioner to the post of Sub-Inspector of Police shall be counted with effect from 2.3.2007 as all his batch mates were appointed as Sub-Inspector of Police on 2.3.2007. However, the official respondents misinterpreting the order of the Hon'ble Apex Court in Civil Appeal No.5922 of 2014 still treating his appointment to the post of Sub-Inspector of Police as 18.12.2014. Such an action of the official respondents is not sustainable in the eyes of law.

9. The learned counsel would submit that the official respondents despite having a clear knowledge of the order of the Hon'ble Apex Court has fixed the date of appointment as 18.12.2014. The petitioner did not receive the draft seniority list dated 5.12.2018 and had he received the same, certainly, he would have raised an objection to rectify the wrong entry of his appointment as 18.12.2014. It should be replaced by his correct date of appointment i.e. 2.3.2007. Therefore, in view of the settled position of law, the final seniority list

dated 6.3.2020 in respect of the petitioner is of no consequence as it remains a nullity.

10. The learned counsel further submitted that if the initial action is not in conformity with law, the same cannot be sanctified by any subsequent action. As the DPC dated 26.10.2021 was held based on the said final seniority list, the impugned promotion order dated 15.12.2021 and its related proceedings cannot stand in the eyes of law and the same will remain as null and void.

11. The learned counsel for the petitioner urged that all the persons who were appointed as Sub-Inspector of Police in the Manipur Police Department in the year 2007 have already been promoted to the post of Inspector of Police and without any fault on his part, the petitioner will be compelled to serve under the supervision of his contemporary officers/colleagues. Therefore, the official respondents are required to be directed to promote the petitioner to the post of Inspector of Police from the date when his colleagues were promoted to the post of Inspector of Police by treating his date of appointment as 2.3.2007 i.e. the date when other persons were appointed as Sub-Inspector of Police after appearing the recruitment test along with him in pursuance of the public notification dated 8.10.2006.

12. The learned counsel for the petitioner next submitted that the question of waiver of right by him in his appointment/promotion does not arise

as the official respondents have committed wrongful acts by victimizing the petitioner. If this Court does not come to his rescue by directing the official respondents to promote the petitioner to the post of Inspector of Police with effect from the date when his batch mates were promoted to the post of Inspector of Police by treating his date of appointment as 2.3.2007, the petitioner will suffer irreparable loss and hardship that cannot be compensated in other terms.

13. Per contra, the learned Government Advocate appearing for the State respondents, by drawing this Court's attention to the Recruitment Rules of Inspector (Male), submitted that at the relevant point of time, the petitioner has not rendered 5 years regular service in the grade of Sub-Inspector of Police. Therefore, he was not qualified for promotion to the post of Inspector of Police (Civil/Male). Further, at the time of issuance of WT message dated 7.11.2019 i.e. initiation of the DPC, the petitioner was not qualified for promotion to the post, as he has not rendered 5 years of regular service in the grade of Sub-Inspector of Police.

14. The learned Government Advocate further submitted that in pursuance of the WT message dated 7.11.2019, a DPC was held on 26.10.2021 in consultation with the MPSC and the State Government had appointed 31 Sub-Inspectors (Male/Civil) on promotion to the post of Inspector vide order dated 15.12.2021. Since the petitioner was not qualified at the

relevant point of time, he was not considered for promotion to the next higher post.

15. The learned Government Advocate further submitted that the Sub-Inspectors serving in different units/Districts have filed their objection to the draft seniority list, however, the petitioner has failed to submit any objection. Only after considering the objection and disposing of the objection raised by the different Sub-Inspectors, the impugned final seniority list was published. Therefore, the impugned final seniority list need not be interfered with by this Court.

16. By placing on record, the decisions of the Hon'ble Supreme Court in the *Amarjeet Singh and others v. Devi Ratan and others*, (2010) 1 SCC 417 and *Harish Maganlal Baijal v. State of Maharashtra and others*, (2010) 6 SCC 585, the learned counsel for the MPSC submitted that an employee cannot be granted seniority prior to his birth in a cadre adversely affecting seniority of other employees appointed prior to him and late comers to regular stream cannot steal a march over early arrivals who are already in regular queue.

17. Arguing further, the learned counsel submitted that there is no wrong in the DPC held on 26.10.2021 and considering the eligibility criteria and the seniority, the MPSC had recommended 31 Sub-Inspectors (Male/Civil) for promotion to the post of Inspector of Police and the petitioner cannot find fault

with the DPC held on 26.10.2021. He would submit that due to Covid-19 pandemic the DPC was delayed, otherwise, there is no infirmity in the DPC held on 26.10.2021.

18. The learned counsel appearing for the private respondents contended that the private respondents were recommended for selection to the post of Inspector of Police in the DPC meeting held on 26.10.2021, as they were found to have completed 5 years of regular service in the grade of Sub-Inspector of Police. However, the petitioner whose date of appointment was reckoned with effect from 18.12.2014 was not considered for promotion to the post of Inspector of Police, as he had not rendered 5 years of regular service in the grade of Sub-Inspector of Police at the time of initiation of the DPC proceedings. Therefore, there is no merit in the writ petitions and, thus, prayed for dismissal of the same.

19. This Court considered the rival submissions and also perused the materials available on record.

20. The grievance of the petitioner is that though he was not selected initially in the recruitment process initiated pursuant to the advertisement dated 8.10.2006 for filling up of the post of Sub-Inspector of Police in the Manipur Police Department, as per the order passed in W.P.(C) No.163 of 2009, the respondent authorities were directed to include the petitioner in the select list

for the purpose of appointment to the post of Sub-Inspector of Police with a further direction that if the petitioner is found to be more meritorious than any of the appointed candidates, he must be given appointment against any existing vacant post of Sub-Inspector of Police or by replacing the last candidate who has secured less marks than the petitioner in the said selection process. Aggrieved by the said order, the State respondents preferred Civil Appeal No.5922 of 2014 before the Hon'ble Supreme Court and, by the order dated 30.6.2014, while dismissing the Civil Appeal, the Hon'ble Supreme Court directed that after re-evaluation of the answers given by the petitioner, if the petitioner is found to secure more marks than any of the successful candidates, he shall be accommodated either on existing vacancy or by creating a supernumerary post with effect from the date in the same process of selection came to be appointed. However, the Hon'ble Supreme Court has set aside the portion of the direction to replace the last candidate who is found to have secured less marks than the petitioner.

21. Further grievance of the petitioner is that pursuant to the direction of the Hon'ble Supreme Court, the DGP, vide order dated 18.12.2014, directed to appoint the petitioner to the post of Sub-Inspector of Police and his seniority position shall be fixed on the date of issuance of the appointment order. Accordingly, the Superintendent of Police, Tamenglong District issued an order of appointment with effect from 22.12.2014 thereby fixing the seniority on the

date of appointment as directed by the DGP in its order dated 18.12.2014. In the meanwhile the Joint Secretary (Home) wrote a letter to the DGP conveying that the seniority of the petitioner whose appointment was made as per the direction of the Hon'ble Supreme Court has to be fixed notionally from the date on which seniority of other officers recruited under the same DPC fixed. Pursuant to the said communication, the Superintendent of Police, Tamenglong issued an order whereby the seniority of the petitioner was fixed notionally on 26.2.2007.

22. The claim of the petitioner is that despite his seniority having been fixed notionally on 26.2.2007, he was not considered for promotion to the post of Inspector of Police till date and his juniors were promoted to the higher post. Therefore, the seniority list published on 6.3.2020 and the DPC held on 26.10.2021 and also the appointment order dated 15.12.2021 are to be set aside and consequently a direction may be issued to the respondents to promote the petitioner to the post of Inspector of Police by holding a fresh DPC with effect from the date when his batch mates are promoted to the said post by treating his date of appointment as 2.3.2007 with all consequential benefits, including monetary benefits.

23. As per the Recruitment Rules of Inspector (Male) issued by the State respondent, the post of Inspector (Male) is a selection post and it should be filled up by the following methods:

*“Promotion: (i) Matriculate/H.S.L.C. or its equivalent Sub-Inspectors of Police who have passed the Departmental Examination conducted by M.P.S.C. and completed 5 (five) years regular service in the grade.*

*Provided that not more than 10% of the vacancies arising in a recruitment year may be filled from Matriculate/H.S.L.C. or its equivalent sub-Inspector of Police who have passed the Departmental Examination conducted by the MPSC and completed 3 (three) years regular service in the grade and who have been recommended by the Director General of Police for promotion by reason of their conspicuous acts of gallantry in discharge of official duties OR 5 (five) good service marks awarded by Director General of Police as provided under Rule 44 of Part III of Assam Police Manual irrespective of their rank/position in the seniority list.*

*Provided that officers recommended beyond the normal zone of consideration under such category shall be placed below the officers recommended under normal zone of consideration in the merit list.*

24. As could be seen from the records, in the year 2018, a DPC process was started for filling up of 56 vacant posts of Inspector of Police and in the DPC, the name of the petitioner was included in the list of eligible Sub-Inspectors. However, the petitioner was not considered on the ground that he had not rendered 5 years regular service in the grade of Sub-Inspector of Police.

25. What emerges from the pleadings of the parties and the arguments raised by the respective counsel is that the petitioner is not similarly situated as

that of other incumbents and the petitioner was appointed as Sub-Inspector of Police against an existing vacancy vide order dated 18.12.2014 with effect from 18.12.2014 whose seniority was notionally fixed on 26.2.2007 and the same was accepted by him.

26. As rightly argued by the learned counsel appearing for the private respondents, the fixation of the date of appointment of the petitioner as 18.12.2014 is well within his knowledge and the appointment order dated 18.12.2014 was accepted by him and it was never challenged before any forum. That apart, the final seniority list of Sub-Inspector of Police (Male) as on 1.11.2018 which is of vital importance has been not disclosed by the petitioner, wherein his date of appointment has been clearly given as 18.12.2014 with a remark that his seniority was fixed notionally from the date on which the seniority of other officers recruited under the same DPC was fixed i.e. 26.2.2007.

27. In *Harish Maganlal Baijal*, supra, the Hon'ble Supreme Court held:

*"25. The petitioner's contention that since both Mr Kumbhare and he had joined the post of DSP on 15-9-1993, their seniority should have been reckoned from the same day was rightly rejected both by the Tribunal and the High Court, having regard to the fact that while Mr Kumbhare had been included in the first select list and his appointment was also deferred on account of verification of his caste certificate, the appointment of the petitioner who had already been appointed and was*

*functioning as Sales Tax Officer, Class I, in the post of DSP, was accidental in view of the ineligibility of three candidates who had been included in the initial list of selected candidates. His claim for seniority could, therefore, be reckoned only from the date of his joining his duties as DSP.”*

*(underlining added)*

28. Even though, the petitioner had knowledge of his seniority position as Sub-Inspector as on 1.11.2018 where the date of appointment of the petitioner is stated as 18.12.2014, he has not challenged the same. More importantly, the aforesaid final seniority list as on 1.11.2018 has also been relied upon by the petitioner in W.P.(C) No.58 of 2020. The order dated 21.7.2016 issued by the DGP in partial modification of the earlier order dated 18.12.2014 was only in respect of fixing the seniority of the petitioner notionally on 26.2.2007 i.e. the date on which seniority of other officers recruited under the same DPC and not in respect of modification of the effective date of appointment of the petitioner remained the same i.e. 18.12.2014 and, as stated supra, the same was not questioned or challenged by the petitioner.

29. Coming to the DPC which was held on 26.10.2021, this Court is of the view that the same was held for filling up the vacancy to the post of Inspector of Police that arose in April, 2019 and the said DPC was held in accordance with WT message of the Inspector General of Police (Admn) Manipur dated 7.11.2019. According to the State respondent, at the time of initiation of the

DPC, the petitioner was not at all qualified for promotion to the post of Inspector of Police, as he has not rendered 5 years regular service in the grade of Sub-Inspector of Police.

30. As stated supra, as per the Recruitment Rules, the post of Inspector of Police is a selection post and it can be filled up by a Matriculate/HSLC or its equivalent Sub-Inspectors of Police who have passed the departmental examination conducted by the MPSC and completed 5 years of regular service in the grade. Since the petitioner has not qualified and has not fulfilled the eligible criteria at the relevant point of time, he was not considered for promotion and the private respondents were recommended for selection to the post of Inspectors of Police, as they were found to have completed the 5 years of regular service in the grade of Sub-Inspectors of Police.

31. In *Amarjeet Singh*, supra, the Hon'ble Supreme Court held:

*"27. The law permits promotion with retrospective effect only in exceptional circumstances when there has been some legal impediment in making the promotions, like an intervention by the court. An officer cannot be granted seniority prior to his birth in the cadre adversely affecting the seniority of other officers who had been appointed prior to him. "The latecomers to the regular stream cannot steal a march over the early arrivals in the regular queue." [Vide S.P.Kappor (Dr.) v. State of H.P., (1981) 4 SCC 716; Shitla Prasad Shukla v. State of U.P., AIR 1986 SC 1859 and Uttranchal Forest Rangers' Assn. (Direct Recruit) v. State of U.P., (2006) 10 SCC 346.]"*

32. Since at the time of initiation of DPC proceedings the petitioner had not rendered 5 years of regular service in the grade of Sub-Inspector of Police, the respondent authorities are right in not considering the name of the petitioner for promotion to the post of Inspector of Police. That apart, the petitioner is not similarly situated with that of the other incumbents.

33. It is reiterated that the fixation of the date of appointment of the petitioner as 18.12.2014 is well within his knowledge and the appointment order of the petitioner dated 18.12.2014 was also accepted by him and it was never challenged before any Court of law. The excuse of the petitioner in not submitted the objection to the seniority list canvassed by him is not at all acceptable. The petitioner had also knowledge of his seniority position as Sub-Inspector of Police as on 1.11.2018 where the date of appointment has been mentioned as 18.12.2014, which was also not challenged by him. The failure of the petitioner in not challenging the aforesaid seniority list, waive the petitioner to challenge the subsequence final seniority list, which is impugned in the writ petition.

34. For all the reasons stated above, this Court is of the view that the impugned final seniority list published on 6.3.2020, the DPC held on 26.10.2021 and the appointment orders dated 15.12.2021 issued does not suffer from any infirmities and/or illegalities. The private respondents were recommended and appointed to the post of Inspectors of Police after a careful assessment of their

suitability and eligibility and, therefore, their appointment now cannot be questioned by the petitioner. It is for the respondent authorities to consider the eligibility and suitability of the petitioner to give promotion to the next higher post subject to the recommendation of the DPC in consultation with the MPSC. Exercising jurisdiction under Article 226 of the Constitution of India, the this Court cannot direct the respondent authorities to consider the case of the petitioner for promotion to the post of Inspector of Police in Manipur Police Department as prayed for by him. This Court finds that there is no merit in the writ petitions.

35. In the result, the writ petitions fail and, accordingly, the same are dismissed. There will be no order as to costs.

**ACTING CHIEF JUSTICE**

***FR/NFR***

***John Kom***