

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

WP(C) No. 1002 of 2022

Yumnam Sundari Devi & 25 Ors.

...Petitioners

- Versus -

Union of India & 2 Ors.

...Respondents

**With
MC(WP(C)) No. 103 of 2023
MC(WP(C)) No. 404 of 2023**

**B E F O R E
HON'BLE THE CHIEF JUSTICE MR. SIDDHARTH MRIDUL
HON'BLE MRS. JUSTICE GOLMEI GAIPHULSHILLU KABUI**

ORDER

08-12-2023

Siddharth Mridul (C.J.),

Heard Mr. S. Lokhendro, learned counsel appearing on behalf of the petitioners/applicants and Mr. Kh. Samarjit, learned DSGI appearing on behalf of the respondents.

A communication dated 07-12-2023 addressed by the Deputy Director (Admn,) i/c to Shri Yumnam Paikhomba, Advocate, Jr. to Kh. Samarjit Singh, Sr. Adv. & DSGI, High Court of Manipur has been handed up in Court today. A perusal of the annexures appended to the said communication of 7th December, 2023 and in particular, page 24 thereof, reflects that vide Office Memorandum dated 25-10-2023, the Ministry of Health and Family Welfare vide Letter No. U-12012/57/2022-NE-Part (2) dated 23-08-2023 has conveyed the approval of competent authority for amendment of Recruitment Rules of Nursing Section of RIMS, Imphal for

the posts of Chief Nursing Officer, Nursing Superintendent, Deputy Nursing Superintendent, Senior Nursing Officer and Nursing Officer respectively.

In this behalf, it would be relevant to observe that the present petition instituted on behalf of the petitioners, in sum and substance, prays for the following directions:—

“(i) issue writ in the nature of mandamus or any other appropriate writ/order(s)/direction(s) or of the like nature directing the respondent/authority to quash and set aside the existing Recruitment Rules for the posts of (a) Staff Nurse, (b) Nursing Sister, (c) Assistant Nursing Superintendent, (d) Deputy Nursing Superintendent, (e) Nursing Superintendent RIMS Hospital Imphal as the Indian Nursing Council has already approved a changed criteria of eligibility and experience for the above categories of posts;

(ii) issue writ in the nature of Certiorari/mandamus to frame recruitment rules for the posts of (a) Staff Nurse, (b) Nursing sister, (c) Assistant Nursing Superintendent, (d) Deputy Nursing Superintendent, (e) Nursing Superintendent and (f) Chief Nursing Officer, RIMS Hospital Imphal in terms of/by incorporating the eligibility and experience approved for the above categories of posts by the Indian Nursing Council;

(iii) call for relevant records;

(iv) issue rule calling upon the respondents to show cause as to why the prayer made by the petitioners should not be granted;

(v) to pass any further writ/orders/directions which as to this Hon’ble Court deems fit and proper in the facts and circumstances of the case;

-AND-

IN THE INTERIM, pending disposal of the present case Your Lordships may be gracious enough in passing an Order directing the respondent/authority not to fill up the posts of a) Staff Nurse, (b) Nursing sister, (c) Assistant Nursing Superintendent, (d) Deputy Nursing Superintendent, (e) Nursing Superintendent and (f) Chief Nursing Officer, Regional Institute of Medical Sciences (RIMS) Hospital Imphal till the disposal of the present case to render justice.”

In my considered view, therefore, the challenge to the Recruitment Rules and the consequent relief prayed for in the present writ petition stands satisfied.

It is, however, observed that the amendment of Recruitment Rules now approved by the competent authority as aforementioned, are yet to be notified and published in the Gazette of India.

It is, therefore, directed that the competent authority/official respondents ensure that the amendment of the said Recruitment Rules are notified by publication in the Gazette of India expeditiously and definitely within a reasonable period of time. No other relief is prayed for in this petition.

With the above direction, the writ petition and the pending applications are disposed of.

JUDGE

CHIEF JUSTICE

Victoria