

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

WP(C) No. 479 of 2017

Lianzamawi

...Petitioner/s

Vs.

State of Manipur

...Respondent/s

B E F O R E

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

17-04-2023

Heard Mr. Karung H. Kom, learned counsel appearing for the petitioner and Mr. A. Vashum, learned GA appearing for the respondent Nos. 1 & 2. None appeared for the private respondent No. 3.

The present writ petition had been filed assailing the order dated 27-06-2017 passed by the Chief Executive Officer, Autonomous District Council, Churachandpur by which the petitioner and the private respondent No. 3 had been subjected to transfer and posting. In the said order the name of the petitioner and respondent No. 3 appeared at Sl. No. 3 & 4. In the present writ petition, the said transfer order had been challenged mainly on the ground that the petitioner had been subjected to frequent transfer. At the time of motion of the present writ petition, this Court passed an interim order dated 07-07-2017 suspending the said impugned transfer order in

respect of the present writ petitioner and respondent No. 3. By virtue of the said interim order, the present petitioner is continuing in her present place of posting for the last about 6(six) years. It is trite to say that an employee cannot claim or demand to be posted continuously in a place of his or her choice and that the authorities should be given liberty to effect transfer and posting of an employee in the exigency of service and in the interest of public. Since the petitioner had been continuing in the present place of her posting for the last about 6 (six) years by virtue of the interim order passed by this Court, there is no point in keeping the present writ petition pending and the same can be disposed of by setting aside the impugned order dated 27-06-2017 only in respect of the present petitioner and respondent No. 3 and by giving liberty to the authorities to effect new transfer and posting of the petitioner if so advised and in the exigency of service and in the public interest.

Mr. A. Vashum, learned GA appearing for the official respondents submitted that he has no objection in allowing the present writ petition if liberty is given to the authorities to effect new transfer and posting of the petitioner and respondent No. 3 in the exigency of service and public interest.

In view of the submission made above, the present writ petition is allowed by quashing and setting aside the impugned order dated 27-06-2017 in so far as the present writ petitioner and the respondent No. 3 is concerned. It is also made clear that the authorities have the liberty to effect new transfer and posting of the petitioner and the respondent No. 3 if so required.

With the aforesaid directions, the present writ petition is disposed of. There will be no order as to cost.

JUDGE

Dhakeshori