

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

MC(WA) No. 107 of 2023

State of Manipur & anr.

... Applicants

Vs.

N. Apabi Singh & anr.

... Respondents

B E F O R E

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

15-09-2023

A. Bimol Singh, J.

Heard Mr. Y. Ashang, learned GA appearing for the applicants and Mr. Kh. Tarunkumar, learned senior counsel assisted by Ms. Kh. Nirmala, learned counsel appearing for the respondents.

We have heard at length the submission made by the learned GA and also carefully examined the explanation given in the present application for condoning the delay in filing the connected appeal. We have also heard Mr. Kh. Tarunkumar, learned senior counsel at length opposing the condonation application and also carefully examined the pleadings made in the objection.

Even though we are not fully satisfied with the explanation given by the applicants for condoning the delay of 325 days in filing the connected appeal, on consideration of the admitted fact that at the time of appointment of the respondents/ writ petitioners on contract basis, there was no post available at all and the posts were available subsequently and the said posts were advertised for direct recruit by issuing notification. The learned Single Judge has allowed the writ petition filed by the private respondents/ writ petitioners directing the authorities to regularize the service of the respondents/ writ petitioners against some of the advertised post on the ground that some persons who are similarly situated with the respondents/ writ petitioners and who are junior to the respondents have been given regularization in services.

On consideration of the merit as pleaded in these cases, we are of the considered view that it will be in the interest of justice to consider the connected writ appeal on merit. Accordingly, the present condone application is allowed subject to payment of cost of Rs. 5,000/- (rupees five thousand) to be paid by the applicants to the High Court Bar Association of Manipur on or before 19-09-2023.

Registry is directed to number the connected writ appeal and list it for Admission hearing on 21-09-2023, if the same is otherwise found to be in order.

JUDGE

JUDGE

Devananda

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Pavei Peter & ors.

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