

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

W.P.(C) No. 614 of 2023

1. Ms.Chingakham Sinthoileima, aged about 32 years, D/o Chingakham Nondamba of Khambam Chumbreithong, P.O. Mantripukhri & P.S. Heingang, Imphal East District, Manipur, presently holding the post of Research Assistant and discharging her duties as Head of Office and the drawing and Disbursing Officer in the Fishery Research Centre, Lamphel.
2. Ms. Sagolsem Anamika Devi, aged about 32 years, D/o. S. Achoubi Singh of Sagolband Noremthong Khumanthem Leikai, P.O. Imphal & P.S. Lamphel, Imphal West District, Manipur presently holding the post of Research Assistant while discharging her duties as Training & Extension, Fish Proceesing.

....Petitioner/s

- Versus -

1. State of Manipur represented by the Principal Secretary/ Commissioner/ Secretary (Fishery), Government of Manipur, office at Secretariat South Block, Babupara, P.O. & P.S. Imphal, Imphal West District, Manipur – 795001.
2. The Chief Secretary (DP), Government of Manipur, office at Secretariat South Block, Babupara, P.O. & P.S. Imphal, Imphal West District, Manipur.
3. The Director (Fishery), Government of Manipur, Lamphelpat, P.O. & P.S. Lamphel, Imphal West District, Manipur – 795004.

...Respondent/s

4. The Manipur Public Service Commission (MPSC) through its Secretary, Manipur Public Service Commission (MPSC), office at North AOC near Hotel Imphal, P.O. & P.S. Imphal, Imphal West District, Manipur – 795001.

...Proforma Respondent/s

**BEFORE
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

**ORDER
(ORAL)**

04.09.2023

[1] Heard Mr. M. Hemchandra, learned senior counsel assisted by Mr. M. Rendy, learned counsel on behalf of the petitioners, Mr. Y. Ashang, learned GA for the State Respondent Nos.1 to 3 and Mr. Denish, learned junior counsel to Mr. RK Deepak, learned senior counsel for the MPSC, Respondent No.4.

[2] By the present petition, the petitioners therein prays for modification of the impugned letter dated 18.08.2023 issued by Director of Fisheries, Manipur to the Secretary (Fishery), Government of Manipur for holding Class-II Review DPC for filling up of vacant posts of Fishery Officer in the Department of Fishery, Government of Manipur in pursuance to the direction of the Division Bench of this Court in order dated 03.02.2023 passed in Writ Appeal No.111 of 2022 and Others.

[3] By order dated 03.02.2023 passed in Writ Appeal No.111 of 2022 and Others, the Division Bench of this Court directed the State Respondent to conduct Review DPC for 3 left-over posts only.

[4] It is the case of the petitioners that they have not been included in the list of the eligible candidates for the proposed Review DPC issued vide letter dated 18.08.2023 and they have submitted a detailed representation dated 28.08.2023 to (i) the Secretary (Fishery), Government of Manipur, (ii) the Director of Fisheries, Government of Manipur and (iii) the Secretary, Manipur Public Service Commission (MPSC), Imphal, Manipur on the ground that they also possessed the essential qualification required for promotion to Fishery Officer in Department of Fishery, Government of Manipur and they ought to be included in the list of the eligible candidates.

[5] In the Writ Petition, prayer No. (iv) is for issuing a direction to the respondent to dispose of the representation dated 28.08.2023. Prayer No. (iv) is reproduced below:

(iv) To issue a writ in the nature of Mandamus / Certiorari or any other appropriate writ / directions / orders, directing the respondent to consider and dispose of the detail representation dated 28-08-2023 (AT ANNEXURE-A/18) submitted by the petitioners, judiciously, by issuing reason and speaking order before holding the proposed D.P.C. to be held pursuant to the letter dated 18-02-2023 (AT ANNEXURE-A/16), in view of the facts and circumstances of the present petition.

[6] We have heard the learned counsels for the parties. This Court is of the opinion that the present writ petition can be disposed at the motion

stage by issuing a direction to the respondent to consider and dispose of the representation dated 28.08.2023 submitted by the petitioners by a speaking order before holding of the proposed D.P.C. in pursuant to the letter dated 18-08-2023. With this observation, the writ petition is disposed of.

[7] Furnish a copy of this order to the learned counsels appearing for the parties.

JUDGE

- Larson