

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

WP(C) No. 617 of 2023

Smt. Ngaithem Chanu Indira & 3 Ors.

.....*Petitioner/s*

- Versus -

State of Manipur & Anr.

.... *Respondent/s*

BEFORE
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

Order

05.09.2023

[1] Heard Mr. HS. Paonam, learned senior counsel assisted by Mr. S. Gunabanta, learned counsel for the petitioner and Mr. Y. Ashang, learned G.A. for respondent Nos. 1 & 2.

[2] The case of the 4 (four) petitioners along with others are that they were working as Muster Rool/Casual Employees/Contract Workers in the Agriculture Department, Government of Manipur and their service have been extended from time to time. The present petitioners and others filed writ petition being WP(C) No. 848 of 2016 and vide order dated 12.07.2017, this Court directed the State respondent for considering absorption/regularization/appointment in terms of the relevant Recruitment Rules. The order dated 12.07.2017 passed by the Ld. Single Judge was upheld by the Division Bench of this Court vide judgment and order dated 11.12.2020 passed in W.A.

No. 11 of 2018 and vide order dated 21.02.2022 passed in SLP No. 18315 of 2021, the matter was disposed of. Out of 19 (nineteen) petitioners involved, only 8 (eight) persons were given regular appointment and the present 4 (four) petitioners and others were denied appointment as they were not eligible for appointment to the post of LDC as per the amended RR. Out of the remaining, the present 4 (four) petitioners approached the authority concerned and submitted a representation dated 11.07.2022 with a request for regularization/absorption/appointment in the lower post of Grade-IV. Vide note dated 07.12.2022, the Director of Agriculture, Manipur submitted a detailed note to the Commissioner (Agri.), Government of Manipur for absorption/regularization/appointment of the present 4 (four) petitioners in Grade-IV post in the Department. In para 20 of the note, the department proposed for absorption/regularization of the 4 (four) petitioners in Grade-IV (i.e. Mali/Field Man) in the Department. The note of the Director of Agriculture, Manipur is reproduced hereinbelow:

“20. The present proposal of the 4 (four) original petitioners/applicants is to consider their long services rendered for the Department and hardship faced by them with a request to absorb/regularize to the Grade-Iv (i.e. Mali/Field Man) in the Department, wherein they are quite eligible as per RRs, in which there are vacancies in the Department.”

[3] On perusal of the note of the Director of Agriculture, Manipur, it seems that the authorities are willing to consider the

representation of the present 4 (four) petitioners for absorption/regularization to the post of Grade-IV.

[4] Mr. HS. Paonam, learned senior counsel, submits that the note is dated 07.12.2022 and till September 2023, nothing is happening and for this reason, the petitioners approach this Court for directing the respondents to expedite the process of regularization/absorption.

[5] Mr. Y. Ashang, learned G.A., submits that the Department is considering their representation and it may take some time.

[6] Keeping in view of all this development, this Court is of the opinion that the writ petition can be disposed of at the motion stage with a direction to the respondent to pass a speaking order on the representation submitted by the petitioner in terms of the note of the Director of Agriculture, Manipur dated 07.12.2022 within a period of 3 (three) months from the date of receipt of a copy of this order.

[7] With these observations, writ petition is disposed of.

[8] Furnish a copy of this order to the learned counsel appearing for all the parties.

JUDGE

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