

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

MC(WP(C)) No. 308 of 2022

Soraisham Anita Chanu & anr.

...Applicant/s

Vs.

Chingsomba Ningomba & 4 ors.

...Respondent/s

With

MC(WP(C)) No. 309 of 2022

**B E F O R E
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH**

23-01-2023

Heard Mr. HS Paonam, learned senior counsel assisted by Mr. S. Gunabanta, learned counsel appearing for the applicants ; Mr. M. Hemchandra, learned senior counsel assisted by Mr. Juno Rahaman, learned counsel appearing for respondent Nos. 1 & 2 and Mr. Th. Sukumar, learned GA for respondent Nos. 3 & 4. None appeared for the proforma respondent No. 5.

The present application has been filed with a prayer for vacating or modifying the ex-parte interim order dated 10-08-2022 passed by this Court in the connected WP(C)No. 613 of 2022. By the said interim order dated 10-08-2022, passed by this Court in WP(C)No. 613 of 2022, the impugned order dated 21-07-2022 appointing the applicants on promotion as Coaches against the 3 vacancies have been suspended.

Mr. HS Paonam, learned senior counsel appearing for the applicants submitted that the applicants have been appointed against

the posts which have been exclusively created and earmarked for the female coach and that the writ petitioners being male candidates are not eligible for appointment against the said newly created posts.

The case of the writ petitioners is that there is no separate Recruitment Rules for regulating appointment against the newly created 6(six) posts earmarked for female candidates and that under the existing Recruitment Rule, both the male and female candidates are eligible for promotion. It is also the case of the writ petitioners that they are senior to the present applicants and without considering the case of the senior candidates, applicants have been promoted in a very arbitrary manner.

On careful examination of the materials available on record and after hearing the rival submissions of the learned counsel appearing for the parties, this Court is of the considered view that the State Government has created 6(six) posts of Coach (Female) in the sports disciplines of Fencing, Wrestling, Taekwondo, Judo, Boxing and Wushu by an order dated 21-12-2020 issued by the Commissioner (YAS), Government of Manipur. As the said posts has been created exclusively for Female candidates, male candidates cannot be considered for appointment to the newly created posts.

In view of the above, this Court is of the considered view that it will be just and proper to modify the earlier interim order dated 10-08-2022 passed by this Court in WP(C)No. 613 of 2022.

Accordingly, it is hereby ordered that the appointment of the applicants as Coach in the sports disciplines i.e. Taekwondo, Fencing and Wushu under the impugned order dated 21-07-2022 shall be subject to the outcome of the present writ petition.

The earlier interim order dated 10-08-2022 is hereby modified to the extent indicated above.

Misc. cases stand disposed of.

JUDGE

Dhakeshori