

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

**WP(C) No. 798 of 2023 with
MC(WP(C) No. 368 of 2023**

The Manipur Home Guards Employees
Welfare Association & 4 Ors.

.....*Petitioner/s*

- Versus -

State of Manipur & 2 Ors.

.... *Respondent/s*

BEFORE
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

Order

22.11.2023

[1] Heard Mr. M. Hemchandra, learned senior counsel assisted by Mr. M. Rendy, learned counsel for the petitioners and Mr. H. Samarjit, learned G.A. for the State respondents.

[2] The petitioners approach this Court by way of the present writ petition inter-alia praying for enhancement of the dearness allowances and to extend the benefit of ration money allowances of the Manipur Home Guard personnel.

[3] The prayers are reproduced herein below:

- “ (i) To admit the present writ petition.*
- (ii) To issue rule nisi calling upon the respondent to show cause as to why prayer made by the petitioner shall not be granted in the facts and circumstances of the present petition.*
- (iii) To issue a writ in the nature of mandamus or any other appropriate writ/order/direction to increase Dearness Allowances (DA) from 14% to 17.5% w.e.f 01.04.2022, to 21% w.e.f. 01.06.2022, TO*

28% w.e.f. 01.12.2022 and also to release payment thereto with entitled arrears immediately in view of Hon'ble Supreme Court's Judgment dated 11.03.2015 passed in CA No. 2759 of 2015 [Grah Rakshak, Home Guards Welfare Association (supra) –vs- State of H.P. & Ors.] read with Hon'ble High Court of Manipur Judgment & order dated 22.01.2022 passed in WP(C) No. 191 of 2018 [The Manipur Home Guards Employees Welfare Association – Vs- The State of Manipur & Ors.] in view of the facts and circumstances of the present petition.

- (iv) To issue a writ in the nature of mandamus or any other appropriate writ/order/direction to extend the benefit of Ration Money allowances @ Rs. 2000/- per head per month in line with police and other security organization of the State including VDF personnel at the earliest in view of the facts and circumstances of the present petition.
- (v) To issue a writ in the nature of mandamus or any other appropriate writ/order/direction to consider and dispose of the representation dated 16.12.2022 (at Annexure – A/17) submitted by the petitioners by issuing reasoned and speaking orders at the earliest, in view of the facts and circumstances of the present petition.
- (vi) To issue a writ in the nature of mandamus or any other appropriate writ/order/direction to pay regularly due entitled DA, ration money to the petitioners/members of the home guard personnel's thereafter regularly.
- (vii) If no cause is shown or insufficient cause is shown, make the rule absolute.
- (viii) To call for the relevant records.
- (ix) To pass any order/writ/directions which the Hon'ble Court deem fit and proper in the facts and circumstances of the present case."

[4] Mr. M. Hemchandra, learned senior counsel for the petitioner, submits that the petitioner No. 1 has submitted a representation dated 16.12.2022 to the Commissioner (Home), Government of Manipur praying for relief as prayed for in the present writ petition. It is stated that the representation is pending with the Government and the writ petition may be disposed of with a direction

to the Commissioner (Home), Government of Manipur to dispose of the representation submitted by the petitioner within a stipulated time.

[5] Mr. H. Samarjit, learned G.A. for the State respondent, is agreeable to the submission made by the learned senior counsel for the petitioner. However, it is submitted that the representation is addressed to the Commissioner (Home), Government of Manipur only and in the present writ petition, Administrative Secretary (Finance/PIC), Government of Manipur is also impleaded as party. It will be proper if fresh representation be addressed to both the Home and Finance Department.

[6] Recording the submission made at bar, writ petition is disposed of with a direction to the Commissioner (Home), Government of Manipur to dispose of the representation dated 16.12.2022 submitted by the petitioner by passing a speaking order within a period of 2 (two) months from the receipt of a copy of this order.

[7] Liberty is granted to the petitioner to submit a fresh representation including the Finance Department as pointed out by the learned G.A.

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

[9] In terms of the order in the writ petition, misc. application is disposed of.

JUDGE

joshua

KH. JOSHUA
MARING

Digitally signed by
KH. JOSHUA MARING
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