

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

WP(C) No. 122 of 2024

Mainam Rajen Singh

.....Petitioner/s

- Versus -

State of Manipur & 2 Ors.

.... Respondent/s

BEFORE
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

Order

16.02.2024

[1] Heard Mr. P. Tamphamani, learned counsel for the petitioner and Mr. Phungyo Zingkhai, learned Dy. G.A. on behalf of the State respondent.

[2] The petitioner, who was Revenue Officer in Thoubal Municipal Council, Thoubal, Manipur, was promoted as Assistant Executive Officer of the Council vide Order dated 28.10.2005 and his promotion was approved by the State Government vide Order dated 28.02.2015 and his service was absorbed in the MAHUD Department as Assistant Executive Officer vide another Order dated 02.11.2016. Later on, the post of Assistant Executive Officer is re-designated as Manipur Municipal Administrative Service Grade – III (MMAS Grade – III) vide Notification dated 07.12.2016. Accordingly, vide Notification dated 28.11.2016, the petitioner was absorbed as MMAS Grade – III.

Since then, the petitioner has been working in the same capacity without any promotion.

[3] The State Government issued an Order dated 03.11.2017 confirming the absorption of the petitioner and others in the Manipur Municipal Administrative Service and the same was treated as initial appoint of the employees and the name of the petitioner is also at Serial No. 31 showing initial appointment as 28.10.2005. It is also stated that the State Government issued a Notification dated 10.02.2022 amending Manipur Municipal Administrative Service (First Amendment) Rules, 2022 whereby for promotion from MMAS Grade – III to MMAS Grade – II, the person should work as 5 (five) years of regular service and minimum of 5 (five) years is Grade – III. Since, the petitioner has not promoted to the next higher post of MMAS Grade – II, he submitted a representation dated 26.04.2023 to the Director (MAHUD), Government of Manipur (respondent No. 2) for considering his promotion to the cadre of MMAS Grade – II. It is stated that the representation is still pending with the competent authority.

[4] Mr. P. Tamphamani, learned counsel for the petitioner, submits that writ petition may be disposed of with a direction to the respondents, specially respondent No. 2 i.e. Director (MAHUD), Government of Manipur, by passing a speaking order to the representation dated 26.04.2023 submitted by the petitioner within a stipulated period of time. It is also pointed out that the petitioner is retiring on 29.02.2024 and Mr. P. Tamphamani, learned counsel for the

petitioner, prays that the respondents be directed to dispose of the representation before his date of retirement.

[5] Mr. Phungyo Zingkhai, learned Dy. G.A. for the State respondent, submits that writ petition may be disposed of by directing the respondents, specially respondent No. 2 i.e. Director (MAHUD), Government of Manipur, to disposed of the representation within a period of 4 (four) weeks by passing a speaking order provided this Court does not express any opinion on the merit of the case.

[6] Recording the submissions made at the bar, writ petition is disposed of by directing the respondent No. 2 to disposed of the representation dated 26.04.2023 submitted by the petitioner within a period of 4 (four) weeks from the date of receipt of a copy of this order.

[7] It is clarified that this Court does not express any opinion on the merit of the case except for recording the necessary facts.

[8] With this observation, writ petition is disposed of.

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

JUDGE

Kh. Joshua Maring

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by KH. JOSHUA
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