

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

WP(C)No.173 of 2023

Ms. Khalida Zia, aged about 27 years, D/o Md. Jahuruddin of Yairipok Tulihal Awang Leikai, PO Andro & PS Yairipok, Imphal East District, Manipur-795149.

...Petitioner

- Versus -

The State of Manipur represented by the Principal Secretary/Commissioner/Secretary(Education-S), Government of Manipur, office at Secretariat South Block, Babupara, PO & PS Imphal, Imphal West District, Manipur-795004 & **3 Ors.**

...Respondents

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

01.02.2024.

[1] Present Mr. Juno Rahman, learned counsel on behalf of the petitioner, Mr. S. Nepolean, learned GA assisted by Mrs. RK Emily, learned Deputy GA on behalf of the State respondents, Mr. S. Yaiskul, learned counsel on behalf of respondent No.3 and Mr. Th. James, learned counsel on behalf of respondent No.4.

[2] The petitioner approached this Court challenging the impugned notification dated 03.02.2023 with respect to private

respondent Nos. 3 & 4 on the ground that they are adjusted against the reserved quota of OBC(MP) where the respondent No.3 and respondent No.4 are unreserved category. Hence, it is submitted that respondent Nos. 3 & 4 cannot be adjusted against the reserved quota for OBC(MP).

[3] This Court issued notice on 22.02.2023 to the respondents and passed an interim order not to appoint respondent Nos. 3 & 4 without the leave of this Court. Both the private respondents admitted in the counter affidavit that respondent No.3 belongs to the General Category and respondent No.4 to OBC(M).

[4] In pursuance to the order dated 22.02.2023, passed by this Court, the State respondents have issued a notification dated 17.01.2024 cancelling the appointments of the private respondent Nos. 3 and 4 on the ground of wrong Social Category and accordingly, the petitioner and one Mr. Md. Yassar Arafat Khan, have been adjusted against the OBC(MP) quotas which arise as a result of cancellation of the earlier appointment of respondent Nos. 3 and 4.

[5] Mr. S. Nepolean, learned GA submits that the writ petition may be disposed of as infructuous as the relief prayed for in the writ petition has already been complied with by the subsequent notification dated 17.01.2024 and the learned counsel appearing for

the petitioner, Mr. Juno Rahman is also agreeable to the submission made by the learned Government Advocate.

[6] Mr. S. Yaiskul, learned counsel appearing on behalf of respondent No.3 and Mr. Th. James, learned counsel on behalf of respondent No.4 submit that they have been victimized for no fault due to the lapse on the part of the State Government and they intend to challenge the impugned notification dated 17.01.2024 issued by the Director(S), Manipur which cancelled their earlier selection.

[7] The private respondents are at liberty to take appropriate steps as per law.

[8] With the above observation, this writ petition is disposed of as infructuous with the aforesaid liberty to the private respondents to challenge the impugned notification dated 17.01.2024 as per law.

JUDGE

John Kom

