

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

MC (W.A.) No. 76 of 2021
[Ref: W.A. No. 46 of 2021]

Thokchom Chhatrajit Singh; & Ors.

Applicants

Vs.

Lourembam Iboyaima Singh; & Ors.

Respondents

BEFORE
**HON'BLE THE CHIEF JUSTICE MR. SIDDHARTH MRIDUL
HON'BLE MRS. JUSTICE GOLMEI GAIPHULSHILLU KABUI**

06.05.2024

Siddharth Mridul, C.J.:

The present application has been instituted on behalf of (1) Dr. Thokchom Chhatrajit Singh, (2) Dr. Rajkumar Kamaljit Singh, (3) Loukrakpam Merin Singh, (4) Dr. Biraj Shougaijam, (5) Anand Jyoti Sanasam, (6) Pinky Khundrakpam, (7) Rosy Kimneithem Haokip, (8) Dr. Ningombam Swapana, (9) Thingbaijam Rajkumari Chanu, the applicants No. 1-9 respectively, seeking leave of this Court to institute the accompanying third party writ appeal against the judgment and order dated 20.09.2018 rendered by the learned Single Judge in W.P. (C) No. 519 of 2018 as well as the consequent order dated 17.08.2020 passed by the Manipur Technical University (MTU), in compliance with the aforesaid judgement and order.

It is an admitted position that the present applicants were not a party in the subject writ petition. It is the submission of Mr. BP Sahu, learned senior counsel appearing on behalf of the applicants that the said impugned judgment

and order dated 20.09.2018 as well as the said consequent order dated 17.08.2020 passed by the Manipur Technical University (MTU) have affected their seniority as regularly appointed Assistant Professors of the latter institution.

In this behalf, it is asseverated that the applicants were regularly appointed as employees of the Manipur Technical University (MTU), after following all the relevant guidelines issued by the UGC and the MTU Act, in accordance with law. On the contrary, it is asserted that the original writ petitioners/contesting respondents herein; were engaged purely on a contractual basis in order to operationalize the functioning of the MTU.

The applicants are aggrieved by the said impugned judgment and order inasmuch as the contesting respondents, who are contract employees have been directed to be regularized after having completed only two years of service. It is in this manner, it is urged, that the applicants have been severely prejudiced by the said impugned judgment and order dated 20.09.2018 as well as the said consequent order dated 17.08.2020 passed by the MTU.

Mr. A. Romenkumar, learned senior counsel, appearing on behalf of the contesting respondents, who were the original writ petitioners, has vehemently opposed the grant of leave on the ground that the applicants are neither the proper nor the necessary party.

Dr. RK Deepak, learned counsel appearing on behalf of MTU through video conferencing, on a specific query from the Bench, states that he has instructions not to oppose the relief prayed for in the present application.

Mr. Athouba Khaidem, learned Government Advocate appearing on behalf of the State respondents, states that he has instructions to oppose the relief prayed for in the present application.

In view of the foregoing and in particular, the circumstance that the applicants are aggrieved by the judgment and order dated 20.09.2018 as well as the said consequent order dated 17.08.2020 passed by the MTU inasmuch as contractual employees have been arguable regularized affecting their seniority and promotion prospects; we are of the view that it would be just and proper to grant them leave to appeal.

Needless to state that any aggrieved party is a proper and necessary party in a proceeding relating to *inter se* seniority and promotion.

The present application is accordingly allowed and disposed of.

The applicants are granted leave to file third party writ appeal.

Sandeep

JUDGE

CHIEF JUSTICE