

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

**WP(C) No. 431 of 2024 with
MC(WP(C) No. 376 of 2024**

Hijam Chandramani Singh

.....*Petitioner/s*

- Versus -

Union of India & 4 Ors.

.... *Respondent/s*

BEFORE
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

Order

24.06.2024

[1] Heard Mr. M. Devananda, learned senior counsel assisted by Ms. Jyotsana, learned counsel for the petitioner.

[2] Mr. M. Devananda, learned senior counsel, submits that the petitioner, who is a Constable in CRPF and presently posted at 86 – Bn., CRPF, Lamphel, submitted a representation dated 06.11.2023, prior to the impugned transfer order dated 03.06.2024 and movement order dated 18.06.2024, for considering his posting in the State of Manipur for another one year on medical ground. It is submitted that the petitioner underwent kidney transplant in the year 2021 and he has been taking further treatment at RIMS, Imphal. Learned senior counsel for the petitioner draws the attention of this Court to the Standing Order – 04/2022 dated 27.09.2022 laying down transfer policy for the CRPF

wherein in para 7, it is stated that renal failure is one of the medical conditions to be examined while consideration for transfer and the case of the petitioner falls under this category. It is submitted that without disposing the representation dated 06.11.2023, the impugned transfer order dated 03.06.2024 and impugned movement order dated 16.08.2024 have been issued by the authority. It is also submitted that writ petition may be disposed of at this stage by issuing a direction to the respondents to dispose of the representation dated 06.11.2023 submitted by the petitioner by a speaking order within a stipulated period of time.

[3] Mr. Kh. Samarjit, learned DSGI appearing for the respondents along with Mr. Vinod Sawant, 2-i-c (Legal), CRPF, submits that there is a provision for submission of representation for post transfer order and the petitioner has not submitted any representation after issuance of the impugned transfer order.

[4] Mr. M. Devananda, learned senior counsel for the petitioner, submits that since he has already submitted a representation dated 06.11.2023 and the same is still pending. However, in order to overcome all technicalities, he may be permitted to submit a fresh representation along with relevant document.

[5] Recording this, the petitioner is permitted to submit a fresh representation against the transfer order dated 03.06.2024 and the movement order dated 18.06.2024 within a period of 7 (seven) days from the date of receipt of a copy of this order and the

respondents shall dispose of the representation to be submitted by the petitioner within a period of one week by a speaking order as per law.

[6] It is made clear that this Court does not express any opinion on the merit of the case.

[7] The petitioner may be permitted to continue in the present posting till the disposal of the representation.

[8] Writ petition is disposed of in terms of the above order. Misc. application is also disposed of accordingly.

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

JUDGE

Kh. Joshua Maring

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KH. JOSHUA
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