

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

MC(WP(C)) No. 496 of 2024

With

MC(WP(C)) No. 442 of 2024

With

MC(WP(C)) No. 492 of 2024

With

WP(C)) No 523 of 2024

Md. Ataur Rahman.

...Petitioner

- Versus -

State of Manipur & 3 Ors.

...Respondents

**B E F O R E
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

ORDER

18-12-2024

[1] Heard Mr. Ajmal Hussain, learned counsel for the petitioner; Mrs. Ch. Sundari, learned Government Advocate for the State respondents; and Mr. Juno Rahman, learned counsel for private respondent No. 4 in WP(C) No. 523 of 2024.

[2] The petitioner approached this Court challenging the impugned transfer order dated 31-07-2024 thereby transferring him from Moijing High School to Toupokpi High School on the ground that the impugned transfer order is in violation of the "Policy for Transfer and Posting of Government Employees of the State of Manipur" which was notified on 12-05-2022 whereby an employee who is retiring within two years of age be given preference at the home posting. It is submitted that the petitioner is retiring

in March, 2025 and the impugned transfer order being within two years of retirement is in violation of the “Policy for Transfer and Posting of Government Employees of the State of Manipur” which was notified on 12-05-2022.

[3] During the pendency of the writ petition, vide order 02-08-2024 passed by this Court, the impugned transfer order of the petitioner from Moijing High School to Toupokpi High School was stayed.

[4] And by a subsequent order, he was given the charge of DDO in order to facilitate drawing of the salary by the teaching and non-teaching staff. Vide order dated 25-09-2024, this Court permitted the private respondent No. 4 to submit a representation to the State respondents for consideration of his case.

[5] In pursuance to the representation submitted by the private respondent No. 4, the State respondents decided that the petitioner will remain as Assistant Headmaster at Moijing High School and private respondent No. 4 will be posted at Wangkhem Junior High School as Headmaster of Junior High School and will be utilized at Moijing High School as in-charge Headmaster of High School.

[6] By this subsequent arrangement, since the transfer of the petitioner has been revoked, the cause in the writ petition has become infructuous.

[7] The writ petition and the applications are disposed of with the observation that the petitioner will be retired as Assistant Headmaster at Moijing High School while allowing the private respondent No. 4 to be in-

charge Headmaster of the Moijing High School as modified by the State Government.

[8] Mr. Ajmal Hussain, learned counsel for the petitioner, submits that the petitioner's MGEL/EIN be upgraded from Moijing High School as early as possible before his retirement so that he has no difficulty in receiving pensionary benefits. State respondents are directed to upgrade MGEL/EIN before retirement of the petitioner for facilitating receipt of pension.

[9] With this observation, the writ petition and the applications are disposed of.

JUDGE

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