

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

WP(C) No.767 of 2023

Manipur Home Guards Employees
Welfare Association ... Petitioner

-Versus-

State of Manipur & 3 Ors ... Respondents

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

19.9.2024

Present Mr.M.Randy, learned counsel for the petitioner and Mr.Shyam Sharma, learned Government Advocate for the State respondents.

The petitioner is an association of Home Guards Personnel and approached this Court by the present petition for a direction to prepare and finalise seniority of list of all ranks of Manipur Home Guards Personnel. The relevant prayer is reproduced hereunder:

“(iii) To issue a writ in the nature of mandamus/ certiorari or any other appropriate writ/ order/ direction to finalise/ conclude/ prepare the seniority list of all ranks of Manipur Home Guards Personnel pursuant to the letter bearing No.H-901/7/2021-HG-HD Imphal, the 16th March, 2023 (AT ANNEXURE A/12), Hon’ble High Court’s order dated 5.7.2023 (At Annexure A/14) passed in WP(C) No.483 of 2023, Orders hearing No.1/13/2022 (Pt) DCG (HG) Imphal, the 3rd October, 2023 (At Annexure A/16) issued by the Director General of Police, Manipur, Imphal and Orders No.1/13(44)/2023 (Pt-I)/DCG (HG)/9434 Imphal, the 7th October, 2023 (At Annexure A/16) issued by the Additional Director General of Police (HG), Manipur, Imphal within a stipulated period of time without any undue delay in the interest of justice.”

It is submitted that vide letter dated 16.3.2023 issued by the Joint Secretary, (Home), Government of Manipur to the Addl.

Director General of Police (HG), Manipur, a request was made to complete preparation and finalisation of seniority list of Manipur Home Guards personnel as proposed by the petitioner herein. The petitioner Association submitted representation dated 22.5.2023 to the Director General of Police –cum- Commandant General (Home Guards), Manipur to consider for finalisation of list of seniority of Home Guards Personnel of all rank. Vide order dated 5.7.2023 passed by this Court in WP(C) No.483 of 2023, the Director General of Police –cum- Commandant, Home Guards, Manipur was directed to dispose the representation dated 22.5.2023 on its own merit. In pursuance of the order dated 5.7.2023, the Additional Director General of Police (H/G), Manipur has issued order dated 7.10.2023 disposing the representation dated 22.5.2023 submitted by the petitioner herein and it was held that due to non-availability of Chairman of the Committee, the request of the petitioner could not be taken up.

In the counter affidavit of the State, it is specifically mentioned that no up-to-date seniority list is available for finalisation of seniority list of Home Guards Personnel. It is also stated that Home Guards are volunteer service for three years and hence there is no provision for preparation of seniority list under the relevant Rules.

This Court is of the opinion that the writ petition can be disposed of by issuing direction to the respondents to appoint Chairman and Members of the Committee to examine the avenue of promotion and seniority list of Home Guards personnel, within three months and, if permissible, prepare final seniority list of Home Guards personnel of all ranks, within a further period of six months from the date of the constitution of an appropriate Committee.

With the above observation and direction, the writ petition is disposed of.

JUDGE

Priyojit