

OINAM

THOIBA MEITEI

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

Item No. 32-34

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OINAM THOIBA MEITEI

Date: 2025.04.15

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MC(W.P. (C)) No. 248 of 2025 with

MC(W.P. (C)) No. 208 of 2025 with

W.P. (C) No. 222 of 2025

State of Manipur and Anr.

... Applicants

- Versus -

Soubam Iboyaima Singh

... Respondents

B E F O R E

HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

ORDER

10.04.2025

[1] Heard Mr. HS Paonam, learned Sr. counsel assisted by Mr. A. Arunkumar, learned counsel appearing for the petitioner and Mr. Lenin Hijam, learned A.G. assisted by Mr. Th. Sukumar, learned Addl. G.A. appearing for the State respondent.

[2] Vide order dated 14.07.2022, the petitioner was appointed as Director, Churachandpur Medical College (CMC) on contract basis for a period of 1(one) year extendable from time to time in pursuance to advertisement dated 27.03.2021 issued by the respondent. In the advertisement, it is mentioned that the terms of the tenure would be as applicable to the Director of Jawaharlal Nehru Institute of Medical Science (JNIMS).

[3] Vide another order dated 28.11.2023 issued by the respondent, the tenure of the petitioner as Director, CMC was extended for another 1(one) year w.e.f. 14.07.2023 to 13.07.2024.

[4] Thereafter, the petitioner submitted representation to the authorities including the Chief Minister, Manipur and Chief Secretary, Govt. of Manipur for

extension of the post of Director, CMC for another 1(one) year, i.e. from 14.07.2024.

[5] However, no extension order was issued in pursuance to the representation submitted by the petitioner, nor was any instruction given to act as Director, CMC.

[6] By the impugned departmental intimation letter dated 10.03.2025, the Deputy Secretary (Health & Family Welfare), Govt. of Manipur informed the Deputy Director (Administration), CMC that the tenure of the petitioner was not extended beyond the contractual period ended on 13.07.2024.

[7] The learned sr. counsel for the petitioner submitted that till the issuance of the order dated 10.03.2025, the petitioner has been discharging the duty of Director, CMC and the documents in this regard have been annexed along with the writ petition.

[8] Being aggrieved by the letter dated 10.03.2025, the petitioner approached this Court for setting aside the impugned letter dated 10.03.2025 and also to consider for extension of his contractual appointment for another 1(one) year and also for releasing remuneration/ salary and allowance for serving as Director, CMC w.e.f. 14.07.2024 till date. The prayer of the petitioner is reproduced herein below:-

- i. Issue rule in nisi and call for record
- ii. Issue a writ in the nature of certiorari or any other appropriate writ or direction for quashing and setting aside the impugned letter dated 10.03.2025 as illegal
- iii. Direct the respondents to consider the case of the petitioner for extension of contract appointment as Director, CMC, Churachandpur, Manipur for another period of one year w.e.f. 14.07.2024
- iv. Direct the respondents to release the remuneration/ salary and special allowance of the petitioner for rendering service as Director, CMC, Churachandpur, Manipur w.e.f. 14.07.2024 till date.

[9] Vide order dated 20.03.2025, this Court issued notice and passed interim order of maintaining status quo till the next date. It was also made clear that status quo order will not amount to automatic extension of the service of the petitioner and the petitioner shall perform normal duty. The respondent was also permitted to initiate steps for alternative arrangement for the Director of CMC as per rule.

[10] Thereafter, the respondent issued an order dated 28.03.2025 appointing Professor Ganmei Angam, Professor (Forensic Medicine), JNIMS as Administrator of CMC until a new Director is appointed as per rule and the Administrator is authorized to discharge the function of Director, CMC, during the meantime in addition to his normal duty.

[11] Thereafter, the State respondent filed an application, MC(W.P. (C)) No. 248 of 2025 for vacating the status quo order dated 20.03.2025 as the Administrator is not able to take charge in terms of the interim order passed by this Court.

[12] During the course of hearing, the learned A.G. for the State respondent submits that he is not pressing the misc. application for vacation of interim order and the matter may be disposed of by considering prayer no. iv, of the writ petition.

[13] The learned Sr. counsel for the petitioner has raised strong objections to the contents of MC(W.P. (C)) No. 248 of 2025.

[14] Since, the learned A.G. is not pressing the MC(W.P. (C)) No. 248 of 2025, it is clarified that anything stated in the application shall not prejudice the interest of both the parties.

[15] As agreed between the parties, this Court is considering prayer no. iv, in the writ petition for releasing the remuneration/salary and special allowance applicable to the petitioner for rendering service as Director, CMC, w.e.f. 14.07.2024 till date.

[16] The learned sr. counsel for the petitioner submits that at this stage after serving so many years, the petitioner ought to have honorable exit from the Directorship of the CMC.

[17] The learned A.G. for the State respondent fairly submits that without going into the merit of the case, the State Govt. undertakes to pay remuneration/ salary and allowance entitled to the Director, CMC, w.e.f. 14.07.2024 to 28.03.2025, the date of appointment of the Administrator.

[18] This Court has considered the submissions made at the bar, the change circumstances and the limited prayer as agreed by both the parties.

[19] From the records, it is seen that even after the expiry of the term of contractual appointment as Director of CMC on 13.07.2024, the petitioner has been discharging the power and function of the Director, CMC. Even though there is no formal extension, there is also no order from the State respondent debarring the petitioner from performing the function of Director, CMC.

[20] By granting status quo order, the petitioner was permitted to perform only normal function even though the same did not amount to extend the terms of the contractual appointment of the petitioner as the Director, CMC.

[21] This Court has considered the undertaking made by the learned A.G. and limited prayer of petitioner. Accordingly, the petitioner shall be entitled to remuneration/ salary and allowance admissible to the Director of CMC for the period from 14.07.2024 till 28.03.2025.

[22] The normal function and duty performed by the petitioner during this period shall be deemed to be performed as a Director of CMC in order to avoid any complicity.

[23] The petitioner and the administrator shall carry out handing over procedure as per rule.

[24] With these observations, the present W.P. (C) No. 222 of 2025 is disposed of, MC(W.P. (C)) No. 248 of 2025 is dismissed as withdrawn and MC(W.P. (C)) No. 208 of 2025 is closed.

[25] The interim order is merged with the final order.

[26] These directions and observations are made in the peculiar facts and circumstances of the present case and also considering the undertaking of learned Advocate General and limited prayer of the petitioner.

JUDGE

Thoiba