

JOHN
TELEN KOM

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Item No.43 & 44 (DB)

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

WA No.15 of 2025
With
MC(WA)No.39 of 2025

Leikangbam Dorendro Singh, aged about 47 years, S/o (L)
Laikangbam Nabakumar Singh, resident of Nagamapal Kangjabi
Leirak, PO & PS Imphal, District-Imphal West, Manipur-795001
Appellant
Vs.

The Union of India through the Secretary, Ministry of Education,
Govt. of India, Shastri Bhawan, New Delhi-110001 & 2 ors.

Respondents

BEFORE
HON'BLE THE CHIEF JUSTICE MR. D. KRISHNAKUMAR
HON'BLE MR. JUSTICE A.GUNESHWAR SHARMA

ORDER
(Oral)

15.04.2025

D. Krishnakumar, C.J. :

[1] Mr. Anjan Prasad Sahu, learned counsel, appears for the appellant and Mr. KH. Samarjit, learned DSGI, appears for the Union of India.

[2] Learned counsel appearing for appellant would submit that the writ petition has been filed by the appellant challenging the advertisement dated 11.03.2025 issued by the respondent NIT, Manipur for filling up of one post of Deputy Registrar through Direct Recruitment mode and on perusal of the said notification dated 11.03.2025, 13(thirteen) different categories of post had been advertised in the aforesaid notification but the appellant is

challenging only the serial No.1 with respect to the post of Deputy Registrar of NIT, Manipur by Direct Recruitment.

[3] According to the appellant, he is relying upon the guidelines issued by the Ministry of Human Resource Development Department of Higher Education, Government of India and the relevant guidelines is reproduced as follows:

“4. B. General Guidelines:

(i) Each Non-teaching cadre(except stenographer Higher cadre) will have 04(four) designation and distribution of posts for these designation will be in the ratio of 4:3:2:1

(ii) For officer/staff cadres, wherever the mode of recruitment is through promotion as well as direct recruitment and number of position are less than 04, minimum number of positions earmarked for promotion will be 01.”

[4] Mr. Anjan Prasad Sahu, learned counsel appearing for the appellant has submitted that in view of the aforesaid guidelines, if the number of position are less than 04, minimum number of positions earmarked for promotion will be 01. Therefore, he seeks for granting an interim order.

[5] Mr. KH. Samarjit, learned DSGI by relying upon the Recruitment Rules(2019) for the post of Deputy Registrar in NITs would submit that in serial 10 of the said Rules, it says that 75% Direct Recruitment failing which by deputation(including Short Term contract) and 25% on promotion failing which by deputation(including Short Term contract). According to them, 75% direct recruitment can be filled up by the advertisement issued by the respondent

NIT, Manipur and the said Rules clearly speaks that the aforesaid 1(one) post is sanctioned by the Ministry of Human Resource Development Department of Higher Education and therefore, there is no bar under the Rules for filing up the vacancy through direct recruitment.

[6] We have gone through the Rules and Guidelines issued by the Ministry of Human Resource Development Department of Higher Education dated 20.02.2019 and considering the said guidelines, we are of the view that the said issue be decided at the time of hearing of the pending writ petition. In the meantime, if the selection process is completed and appointment order is being issued to the selected candidate, then grave prejudice will be caused to the selected candidate if the writ petition is came to be allowed by this Court. In such circumstance, in order to protect the interest of the parties, the respondent department i.e the NIT, Manipur to proceed recruitment process as per the advertisement dated 11.03.2025 for the post of Deputy Registrar in the aforesaid Institute, but the respondent NIT, Manipur shall not publish the final result, till the pending writ petition is disposed of. Further both the parties agreed that a direction may also be issued to the learned Single Judge to dispose of the writ petition at the earliest. Therefore, we are requesting the learned Single Judge to dispose of the said writ petition within a period of 12(twelve) weeks from today(i.e.15.4.2025). In the meantime, the respondents shall file counter affidavit in the writ petition.

[7] In view of the above, the order of the writ court dated 04.04.2025 is modified to that extent and consequently, the instant writ appeal and the misc. case are disposed of.

[8] It is made clear that we are not expressing any opinion on the merit of the case.

JUDGE

CHIEF JUSTICE

John Kom