

OINAM
THOIB
A
MEITEI

Digitally signed
by OINAM
THOIBA MEITEI
Date:
2025.11.15
15:09:38
+05'30'

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

Item no. 107 & 108

**W.P. (C) No. 896 of 2016 with
MC(W.P. (C)) No. 81 of 2017**

Dr. T. Ginzaniang

... Petitioner

- Versus -

State of Manipur and 3 Ors.

... Respondents

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

ORDER

14.11.2025

[1] Present Mr. Serto T Kom, learned counsel for the petitioner, Mr. Y. Ashang, learned GA assisted by Mrs. R.K. Emily, learned Dy. GA on behalf of the respondent nos. 1, 2 & 3 and Mr. D Julius Riamei, learned counsel for the Medical Council of India now NMC.

[2] By the present writ petition, the petitioner challenges the order dated 25.10.2016 issued by Director, JNIMS reverting the petitioner to the post of Assistant Professor from the Associate Professor in pursuance to the review DPC meeting held on 07.10.2016.

[3] It is stated that the petitioner entered JNIMS as Assistant Professor and later on, promoted to the post of Associate Professor in the Department of Medicine in JNIMS and by the impugned order, his promotion has been reverted to the post of Assistant Professor.

[4] The learned counsel for the petitioner submits that by a subsequent order dated 24.11.2020 issued by Principal Secretary (Health & Family Welfare) Govt. of Manipur appointed the petitioner on promotion to the post of Professor, Department in Medicine in JNIMS against the supernumerary post and vide another order dated 16.01.2023 issued by the Additional Chief Secretary (H & FW), Govt. of Manipur and Chairman, Executive Committee of

JNIMS Society that the petitioner and another person promotions were confirmed on regular basis.

[5] During the course of hearing, Mr. Serto T Kom, learned counsel for the petitioner submits that since the petitioner has been promoted on regular basis against the post of professor (Medicine) JNIMS, the cause of the writ petition does not survive.

[6] However, Mr. Y. Ashang, learned GA draws the attention of this Court to the order dated 26.08.2025 passed by this Court wherein, the State counsel was directed to seek instructions whether the impugned reversal order dated 25.10.2016 has been superseded by subsequent confirmation order dated 16.01.2023.

[7] Mr. Y. Ashang, learned GA submits that he is yet to get instructions in terms of the earlier order and learned GA has also pointed out that order dated 24.11.2020 appointing the petitioner on promotion to the post of Professor (Medicine) JNIMS on supernumerary post was subject to the outcome of the present writ petition i.e. W.P. (C) No. 896 of 2016 and learned GA fairly concedes that the subsequent order dated 16.01.2023 confirming the promotion of the petitioner to the post of Professor, Medicine on regular basis is not subject to the outcome of the writ petition.

[8] Mr. D Julius Riamei, learned counsel for the Medical Council of India (now NMC) submits that this Court may pass appropriate order in the peculiar facts of the present case and he has also pointed out that vide order dated 22.03.2024 issued by Director, Churachandpur Medical College, the petitioner has been given Head of Department, Department of Medicine in Churachandpur Medical College, Manipur.

[9] This Court has gone through the materials on record, considered the subsequent development, submissions made at the bar and especially the subsequent orders dated 24.11.2020, 16.01.2023 and 22.03.2024 whereby, the petitioner was promoted to the Professor on supernumerary basis, confirmation and the charge of Head of Department.

[10] This Court is of the opinion that the subsequent order confirming the promotion of the petitioner to the post of Professor (Medicine) in JNIMS) on regular basis is not subject to the outcome of the present writ petition. The cause of the writ petition does not survive as the reversal order from the post of Associate Professor to Assistant Professor has deemed to be merged with subsequent order of promotion to the post of Professor on regular basis and has been given the Head of Department assignment also.

[11] In the circumstances, this W.P. (C) No. 896 of 2016 has become infructuous and disposed of without expressing any opinion on the merit of the order dated 25.10.2016 reverting the petitioner from the post of Associate Professor to Assistant Professor.

[12] The MC(W.P. (C)) No. 81 of 2017 is also disposed of accordingly.

JUDGE

Thoiba