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Item No. 48

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

WP(C) No. 411 of 2025

Thiyam Bharat Singh

Petitioner/s

Vs.

State of Manipur & 2 ors.

Respondent/s

**BEFORE
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH**

26.08.2025

Heard Mr. Th. Ibohal, learned senior counsel assisted by Mr. Kasianand Kh., learned counsel, appearing for the petitioner; and Mrs. L. Monomala, learned G.A. appearing for the respondents.

The present writ petition has been filed challenging the order dated 27.12.2024 issued by the Joint Secretary (Health & FW), Government of Manipur, placing the petitioner under suspension in exercise of the powers conferred by Sub-Rule (1) of Rule 10 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, in contemplation of the disciplinary proceeding against him.

The case of the petitioner is that under Rule 10(6) of the CCS(CCA) Rules, 1965, it is *inter alia* provided that an order of suspension made under Rule 10(1) of the CCS(CCA) Rules, 1965, shall be reviewed by the competent authority before the expiry of 90(ninety) days from the effective date of suspension and on recommendation of the Review Committee the period of suspension can be extended.

It is also the case of the petitioner that under Rule 10(7) of the said rules, it is *inter alia* provided that an order of suspension made under Rule 10(1) of the said rules shall not be valid after the period of 90(ninety) days unless it is extended after review for a further period before the expiry of 90(ninety) days as provided under Rule 10(6) of the CCS(CCA) Rules, 1965.

Mr. Th. Ibohal, learned senior counsel appearing for the petitioner, submitted that in the present case, the impugned suspension order was issued on 27.12.2024 placing the petitioner under suspension in exercise of the powers conferred under Rule 10(1) of the CCS(CCA) Rules, 1965 in contemplation of the departmental enquiry and thereafter, the competent authorities did not issue any further order extending the period of suspension before the expiry of 90(ninety) days as provided under Rule 10(6)

& (7) of the said rules. The learned senior counsel, accordingly, submitted that as the authorities failed to extend the period of suspension of the petitioner, the impugned suspension order is rendered invalid by operation of law as provided under Rule 10(7) of the CCS(CCA) Rules, 1965. The learned senior counsel, accordingly, prays for quashing the impugned suspension order and for issuing direction to the respondents to reinstate the petitioner in service forthwith with all consequential benefits as provided under the rules.

As directed earlier by this Court, Mrs. L. Monomala, learned G.A. appearing for the respondents, placed before this Court the relevant Government Record and submitted that on perusal of the said record, it is found that the authorities have failed to extend the period of suspension of the petitioner as provided under Rule 10(6) & (7) of the CCS(CCA) Rules, 1965. The learned G.A., however, submitted that she may be given some time to file counter affidavit.

I have heard the submission advanced by learned counsel appearing for the parties and also carefully examined the relevant Government Record and I am satisfied that the authorities have failed to extend the period of suspension of the petitioner as

provided under Rule 10(6) and as such, in my considered view, the impugned suspension order has been rendered invalid by operation of the law as provided under Rule 10(7) of the CCS(CCA) Rules, 1965.

Accordingly, the writ petition is hereby disposed of with the following directions:-

- (1) The impugned suspension order dated 27.12.2024 issued by the Joint Secretary (Health & FW), Government of Manipur, is hereby quashed and set-aside;
- (2) The respondents are hereby directed to reinstate the petitioner back in service forthwith by issuing necessary orders;
- (3) It is made clear that the petitioner shall be given all the consequential and entitled service benefits as provided under the rules; and
- (4) The whole process should be completed within a period of 1(one) month from the date of receipt of a certified copy of this order.

With the aforesaid directions, the present writ petition is disposed of.

JUDGE