

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

WP(C) No. 484 of 2025

Kharibam Chaobi Devi

.....*Petitioner/s*

- Versus -

State of Manipur & 2 Ors.

.... *Respondent/s*

BEFORE
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

Order

25.11.2025

[1] Heard Ms. Malemleima, learned counsel for the petitioner and Mrs. RK. Emily, learned Dy. G.A. for the State respondent.

[2] By the present petition, the petitioner is praying for rectification of anomaly in the impugned order dated 21.01.2009 issued by the Chief Engineer (Power). It is stated that vide order dated 11.03.2008 passed by the Ld. Single Judge of the then Gauhati High Court, Imphal Bench (now High Court of Manipur) in WP(C) No. 700 of 2005 filed by the petitioner herein, the writ petition was disposed of by directing to make appointment of the petitioner from the date of appointment of respondent No. 5 i.e. one Mr. Robin Maisnam who was appointed and with prospective financial benefit i.e. from the date of appointment.

[3] The State filed writ appeal against the order dated 11.03.2008 passed by the Ld. Single Judge and the same was dismissed on delay vide order dated 17.04.2009 in MC(WA) No. 140 of 2008. The Chief Engineer (Power) issued an order dated 21.01.2009

appointing the petitioner to the post of S.O. Grade-II in electricity department subject to the outcome of MC(WA) No. 140 of 2008 filed by the State respondent.

[4] It is pointed out that respondent No. 5 was appointed vide order dated 27.10.1999 as S.O. Grade-II (Electrical) on regular basis and the impugned order dated 21.01.2009 appointing the petitioner herein as S.O. Grade-II without any date is in compliance of the direction of the Ld. Single Judge in the order dated 11.03.2008 in WP(C) No. 700 of 2005.

[5] It is submitted that writ petition may be disposed of by correcting the impugned order dated 21.01.2009 to the effect that the appointment of petitioner will be notional with effect from 27.10.1999 with financial benefit from 21.01.2009.'

[6] Mrs. RK. Emily, learned Dy. G.A., submits that writ petition is not maintainable in the present form, as the petitioner had joined to the new promotion vide order dated 21.01.2009 issued by the Chief Engineer (Power) and now she is stopped from questioning the validity of the same as once she has accepted the same without any protest.

[7] This Court has considered the materials on record. On perusal of the order dated 11.03.2008 passed by the Ld. Single Judge in WP(C) No. 700 of 2005, it is directed in para 9 that the appointment of the petitioner as S.O. Grade-II be notional from the date on which respondent No. 5 was appointed and with financial benefit would be prospective, that is, from the date of appointment.

[8] It is seen that respondent No. 5 (i.e. Robin Maisnam) was promoted to S.O. Grade-II (Electrical) on regular basis vide order dated 27.10.1999 issued by the Chief Engineer (Power). However, impugned order dated 21.01.2009 is without any date and the same is not in full compliance of the direction of the Ld. Single Judge. It may be noted that the appeal filed by the State respondent has already been dismissed.

[9] In the circumstances, writ petition is disposed of with a direction that the promotion order of the petitioner vide order dated 21.01.2009 would be notional from 27.10.1999 and with financial benefit from 21.01.2009 as directed in order dated 11.03.2005 in WP(C) No. 700 of 2005.

[10] With this observations and directions, writ petition is disposed of. No cost.

JUDGE

Kh. Joshua Maring

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by KH. JOSHUA
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