

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

PIL No. 19 of 2025

Yumlembam Surjit Singh

Petitioner

Vs.

State of Manipur; & Anr.

Respondents

BEFORE

**HON'BLE THE CHIEF JUSTICE MR. KEMPAIAH SOMASHEKAR
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

(ORDER)

(K. SOMASHEKAR, C.J.)

12.08.2025

Learned counsel for the petitioner, Mr. Keisham Kishan; learned Government Advocate for respondent No. 1, Mr. RK Umakanta; and learned senior counsel for respondent No. 2, Mr. M. Devananda are present before the Court physically.

This writ petition has been initiated by the petitioner, as in the nature of public interest litigation as under Article 226 of the Constitution of India for issuance of direction to the respondents to ensure operationalization and functioning of the Manipur Staff Selection Committee (MSSC)

The petitioner herein was also a petitioner in the MPSC Examination 2016 scam matter in W.A. No. 19 of 2017 and other connected matters. The petitioner herein submitted representation dated 13.06.2025 to the Hon'ble Governor of Manipur regarding operationalization and

functioning of the Manipur Staff Selection Commission (MSSC) and the same has been indicated in para 3 of this writ petition in the nature of public interest litigation.

Whereas this writ petition has been initiated by the petitioner as in the nature of public interest litigation by securing information under the Right to Information Act, 2005. The information was secured under the aforesaid Act under reply dated 12.05.2025 and the same has been indicated in para 4 of this writ petition, wherein it has been contended that there has been delay on the part of the authorities granting Manipur Staff Selection Commission to conduct recruitment as no Department has sent any requisition to the Manipur Staff Selection Commission (MSSC) till date.

Learned counsel for the petitioner emphatically submits that this writ petition is maintainable and it follows the guidelines issued by the High Court of Manipur (Public Interest Litigation) Rules, 2019. On these premises, learned counsel for the petitioner submits that this writ petition has to be heard on merits.

On the contrary, learned Government Advocate for respondent No. 1, Mr. RK Umakanta, submits that this PIL is not maintainable. Learned Government Advocate refers to the objection filed by the State and states that the Present PIL has been filed in violation of the High Court of Manipur (Public Interest Litigation) Rules, 2019. The same has been stated in detail in its objection.

Learned senior counsel for respondent No. 2, Mr. M. Devananda, also filed affidavit-in-opposition. In Para 5 therein, learned senior counsel emphatically submits that this PIL is not in compliance with the guidelines and enumerated herein as thus:

- "a. *the Part-III of the 2019 Rules deals with the provisions for filing of Public Interest Litigations and it contains Rules 10 to Rules 11.*
- b. *Rules 10(i) (c) mandates that para 2 of the writ petition should contain specific averment regarding the source of knowledge of the facts alleged the inquiries/investigation conducted to determine the veracity. In the petition filed by the Petitioner, no such averments exist in para 2 or any other paragraph, thus violating Rule 10(i)(c).*
- c. *Rules 10(i)(d) requires a specific averment in para 3 regarding the class of persons for whom the petition has been filed, and how such persons are incapable of accessing the Court themselves. This requirement has not been met in para 3 or elsewhere in the petition, violating Rule 10(i)(d).*
- d. *Rules 10(i)(e) mandates that para 4 of the petition should identify the persons, bodies, or institutions likely to be affected by the orders sought, and those who should be impleaded as respondents. There must also be an averment that no other parties are likely to be affected. This has not been done by the petitioner, violating Rule 10(i)(e).*
- e. *Rules 10(i) (f) requires para 5 to disclose the petitioner's background, qualifications, and competence to espouse*

the cause. If the petitioner is an organization, the names and addresses of office-bearers and the nature of its activities should be included. An averment regarding the petitioner's ability to pay costs, if imposed by the Court, should also be made. However, the petitioner, who only claims that he was pursuing Law course at Royal Academy, has not provided any such details, violating Rule 10(i) (f).

- f. Rules 10(i) (g) requires para 6 to list the details of representations made to authorities for remedial action and any replies received. The petitioner has failed to include such details, suggesting no representations were made, violating Rule 10(i)(g). The representation was made only in the month of 13/06/2025 and the said representation has been submitted to the Government for disposal. On this ground alone, the PIL deserves dismissal with exemplary costs.*
- g. Rules 10(i)(j) requires the petition's averments to be supported by an affidavit verified by solemn affirmation, disclosing which statements are true to the petitioner's knowledge and which are based on information from identified sources or records. The affidavit filed by the petitioner fails to meet this requirement, violating Rule 10(i)(j).*
- h. Rules 10(ii) The petitioner has utterly ignored Rule 10(ii) of the High Court of Manipur (Public Interest Litigation) Rules, 2019. The affidavit attached with the PIL petition is not at all in the prescribed Proforma "A" annexed to the said Rules, 2019. Hence, the PIL is not maintainable and as such, liable to be dismissed for violating the High Court of Manipur (Public Interest Litigation) Rules, 2019*

framed under Article 225 of the Constitution of India as well as in terms of the order of the Hon'ble Supreme Court of India."

Therefore, keeping in view the submissions made by learned Government Advocate for respondent No. 1 and learned senior counsel for respondent No. 2 and so also the objections filed by the learned Government Advocate for respondent No. 1, Mr. RK Umakanta and learned senior counsel for respondent No. 2, Mr. M. Devananda are concerned, it is deemed appropriate that the present PIL does not survive of consideration.

On these premises, the present PIL is hereby dismissed.

In the meanwhile, learned counsel for the petitioner is seeking some sort of liberty.

Hence, liberty is granted to the petitioner as in accordance with law.

JUDGE

Sandeep

CHIEF JUSTICE