

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

WP(C) No. 730 of 2023

Kh. Jilla Singh

...***Petitioner/s***

Vrs.

State of Manipur & 3 ors.

...***Respondent/s***

-B E F O R E-

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

09.05.2025

Heard Mr. L. Raju, learned counsel appearing for the petitioner ; Mr. Th. Vashum, learned GA appearing for respondent Nos. 1, 2 & 3 and Mr. S. Suresh, learned counsel appearing for respondent No. 4.

[2] In the present writ petition, the grievance raised by the present petitioner is that commutation of the pension received by the petitioner has not been revised in terms of the Office Memorandum dated **11-07-2019** as provided in para **3.2** of the said Office Memorandum. The contents of para 3.2 of the said Office Memorandum dated 11.07.2019 are reproduced hereunder for easy reference :-

"3.2 Whereas pension / family pension / gratuity / commutation of pension, etc. has already been sanctioned in cases occurring on or after 01-01-2016, the same shall be revised in terms of these orders. In cases where pension has been finally sanctioned on the pre-revised orders and if it happens to be more beneficial than the pension becoming due under these orders, the pension already sanctioned shall not be revised to the

disadvantage of the pensioner in view of Rule 70 of the MCS (Pension) Rules, 1977.”

[3] The learned counsel appearing for the petitioner submitted that the present writ petition can be disposed of by directing the respondents to revise the commutation of the amount of pension received by the present petitioner in terms of the above quoted provisions under para 3.2 of the Office Memorandum dated 11-07-2019 and to release the amount due payable to the petitioner after such revision within a stipulated period.

[4] Mr. Th. Vashum, learned GA appearing for the respondents fairly submitted that he received verbal instruction from the authorities that the commutation of the petitioner’s pension amount have not been revised in terms of the Office Memorandum dated 11-07-2019 as contained in para 3.2 and that any appropriate order may be passed for doing the needful.

[5] On the other hand, Mr. S. Suresh, learned counsel appearing for the office of the Accountant General, Manipur submitted that unless and until the concerned authorities of the State Government undertakes the necessary revision in terms of the Office Memorandum dated 11-07-2019 and forwarded the necessary papers to the office of the Accountant General, the Accountant General is not in a position to release any revised authority to the petitioner.

[6] Considering the submission advanced by the learned counsel appearing for the parties, this Court is of the considered view that it will be in the interest of justice to dispose of the present writ petition with the following directions :-

- (i) The Principal Secretary/Secretary, Tribal Affairs and Hills Department and the Director, Tribal Affairs and Hills, Government of Manipur are hereby directed to consider the claim made by the petitioner in the present writ petition with regard to revision of commutation of his pension in terms of para 3.2 of the Office Memorandum dated 11-07-2019 and to issue necessary order in that regard.**
- (ii) The said officials are further directed to forward all the necessary documents after completion of such revision in respect of the petitioner to the other concerned authorities for releasing of any pension amount due payable to the petitioner after such revision.**
- (iii) It is made clear that the whole process should be completed within a stipulated period of 3(three) months from the date of receipt of a certified copy of this order.**
- (iv) On receipt of the necessary documents of the writ petitioner submitted by the official respondents after completing necessary revision, the office of the Accountant General, Manipur is directed to complete the process of issuance of the revised authority in respect of the petitioner within a period of 1(one) month from the date of receipt of such documents.**

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

JUDGE