

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

MC(WA) No. 85 of 2025

Shija Academy of Health Sciences

... Applicant

- Versus -

Sh. Tomba Sharma & 13 Ors.

... Respondents

Clubbed with

MC(WA) No. 102 of 2023 with WA No. 53 of 2023

B E F O R E

HON'BLE THE CHIEF JUSTICE MR. K. SOMASHEKAR

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

O R D E R

[A. Bimol, J]

02.09.2025

Heard Mr. N. Ibotombi, learned senior counsel appearing for the appellants in W.A. No. 53 of 2023; Mr. Phungyo Zingkhei, learned Deputy Government Advocate appearing for the respondents No. 1, 2 & 3; Mr. HS Paonam, learned senior counsel assisted by Mr. Gunabanta, learned counsel appearing for the respondent No. 4 and Mr. BR Sharma, learned CGSC appearing for the respondent No. 5.

During the pendency of this writ appeal being W.A. No. 53 of 2023, the Shija Academy of Health Science has filed an application for disposal of the above mentioned writ appeal in terms of the interim order dated 24.08.2023 passed by this Court in the said writ appeal by making the said interim order absolute. The aforesaid interim order is reproduced herein below:

"

.....
During the midst of hearing, Mr. N. Ibotombi, learned senior counsel appearing for the appellant submitted that because of the poor financial condition faced by the petitioners, a prayer has been made to allow the appellants and the other students admitted under the State quota in the Shija Academy of Health Services to allow them to deposit half of the amount of annual Tuition/Course fee i.e. 4,00,000/- (Rupees four lakhs) per annum or Rs. 2,00,000/- (Rupees two lakhs) Item No. 11 – 12 per semester during the pendency of the present writ appeal so as to enable those students to continue to study.

Mr. HS Paonam, learned senior counsel appearing for the Shija Academy of Health Services also fairly submitted that he has received instruction from his client that respondent No. 4 is agreeable to the request made on behalf of the appellants and other students (State quota).

As prayed for by the learned counsel appearing for the parties, list this case again on 21-09-2023 for final disposal. In the meantime, it is hereby directed that the Shija Academy of Health Services should allow the appellants and other MBBS students admitted under the State quota of the First Batch to deposit Rs. 4,00,000/- (Rupees four lakhs) per year or Rs. 2,00,000/- (Rupees two lakhs) per semester. The said amount should be deposited within a period of 10 (ten) days from today.

It is made clear that this is purely an interim arrangement which will be subject to be the outcome of the writ appeal.

....."

Mr. N. Ibotombi, learned senior counsel appearing for the appellants in W.A. No. 53 of 2023; Mr. Phungyo Zingkhei, learned Deputy Government Advocate appearing for the respondents No. 1, 2 & 3; Mr. HS Paonam, learned senior counsel, assisted by Mr. Gunabanta, learned counsel appearing for the respondent No. 4 and Mr. BR Sharma, learned CGSC appearing for the respondent No. 5 jointly submitted that they have no objection in disposing of the aforesaid writ appeal in terms of the prayer made in the application registered as MC(WA) No. 85 of 2025.

Mr. N. Ibotombi, learned senior counsel appearing for the appellants and Mr. HS Paonam, learned senior counsel for the respondent No. 4 jointly submitted that the present arrangement of the payment of tuition fees in respect of the present appellants in terms of the earlier

interim order passed by this Court be continued till they complete their MBBS Course and that the appellants may not claim from the respondent No. 4 the early excess payment made by them.

It is also stated by Mr. N. Ibotombi, learned senior counsel appearing for the appellants that respondent No. 4 may not also claim from the appellants any tuition fees except in terms of the direction given earlier by this Court.

Considering the submissions advanced by the learned counsel appearing for the parties, we are of the considered view that it will be in the interests of justice to dispose of the present appeal by making absolute the earlier interim order passed by this Court on 24.08.2023 in W.A. No. 53 of 2023. Ordered accordingly. Consequently, the W.A. No. 53 of 2023 and all the connected applications stand disposed of.

However, keeping in view of the submission of the learned senior counsel for the parties in this writ appeal proceeding is concerned, it is stated that, if any writ petition is pending and whatever observation is made for disposal of the writ proceeding further and it shall not be influenced in the mind of the Ld. Single Judge on the writ side.

Accordingly, made an observation.

JUDGE

CHIEF JUSTICE

Bipin