

Suppl.-1, Sl. Nos. 1-2
IN THE HIGH COURT OF MANIPUR
AT IMPHAL

WA No. 49 of 2025

Union of India and 4 others

Appellants

Vs.

Pravat Kumar Nayak and another

Respondents

Clubbed with MC(WA) No. 94 of 2025
(prayer for suspending orders dated 23.05.2024)

BEFORE
HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

ORDER
(Order of the court was made by M. Sundar, CJ)

19.09.2025

[1] Read this in conjunction with and in continuation of separate order made today in MC(WA) No. 102 of 2024 wherein the CoD prayer has been acceded to primarily, as the same was not opposed by the respondents.

[2] As regards the captioned main writ appeal, the same was taken up with the consent of learned counsel on both sides. An order dated 23.05.2024 was made by Hon'ble Single Judge of this Court in WP(C) No. 701 of 2023 along with MC(WP(C)) No. 298 of 2023 thereof has been assailed and the same shall be referred to as 'impugned order' for the sake of convenience and clarity.

[3] Subject matter is disciplinary proceedings vide a CRPF (Central Reserve Police Force) personnel. The writ petitioner (respondent before us) came to this Court complaining that an order withholding three increments is unfair and the same deserves to be set aside as only the memorandum of charge without supporting documents including preliminary enquiry report was furnished. This is contrary to the rules and procedure invoked was writ petitioner's burden of the song.

[4] Learned Single Judge vide impugned order accepted the plea of the writ petitioner, set aside the order of withholding increment but most importantly, granted liberty to CRPF authorities to initiate fresh enquiry on the allegations made in the same memorandum of charge if so advised.

[5] We are of the considered view that the above order does not hurt the employer in any manner. The employer can commence proceedings afresh. Instead, the order of the learned Single Judge has been assailed.

[6] In any event, we find no infirmity or any other reason for interfering with the order of the learned Single Judge as learned Single Judge in para 10 of the impugned order has captured the obtaining position that it is an admitted fact that only memorandum of charge was served on the delinquent and no supporting document including preliminary enquiry report was furnished.

[7] Learned Single Judge has also categorically articulated that this militates against the prescribed procedure. In this view of the matter also, we find no reason to interfere with the order of the learned Single Judge.

[8] To put in a nutshell, the impugned order of the Hon'ble Single Judge neither hurts the appellant nor suffers from any infirmity warranting interference in an intra court appeal.

[9] Ergo the sequitur is, captioned writ appeal fails and the same is dismissed albeit with a clarification that the liberty given by the learned Single Judge to commence DP afresh remains.

[10] Connected MC is also disposed of as dismissed.

Sushil

JUDGE

CHIEF JUSTICE