

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

MC (WP (C)) No. 767 of 2024

[Ref: WP (C) No. 365 of 2024]

Pritam Singh Lobo; & 1 Anr.

Applicants

Vs.

State of Manipur; & 1 Anr.

Respondents

BEFORE

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

26.02.2025

[1] Heard Mr. N. Ibotombi, learned senior counsel appearing for the petitioners and Mrs. L. Monomala, learned GA appearing for the respondents.

[2] In terms of the earlier direction given by this order on 20.02.2025, the learned GA has placed before this Court a letter dated 25.02.2025 from the Director, J.N. Institute of Medical Sciences. In the said letter, it has been, inter-alia, stated that as per verification, the petitioners are discharging their duties. However, as the termination orders were issued in consonance with JNIMS Service Rule of 2015, the payment of the salary may be subject to the outcome of the writ petition to avoid any unwanted financial liabilities on the Institute.

[3] Mr. N. Ibotombi, learned senior counsel submitted that the Chief Secretary (DP), Govt. of Manipur had already issued a notification dated 17.01.2020 under which the superannuation age of Manipur Health Service Doctors (both Post Graduate holders and Non-Post Graduate holders) had been increased from 60 to 62 years. The learned senior counsel further submitted that by an order dated 01.12.2023 issued by the Commissioner cum Secretary (Health & FW) Government of Manipur, the Jawaharlal Institute of Medical Sciences, Porompat has been taken over by the Government as a Government Medical College under the State Health Department.

It has also been submitted by the learned senior counsel that consequent upon the issuance of the order dated 01.12.2023, the Jawaharlal Institute of Medical Sciences, Porompat had been taken over by the Government and converted as Government College under State Health Department and all the employees of JNIMS have been treated as the employees of the Government. The learned senior counsel accordingly submitted that by virtue of the aforesaid notification 17.01.2020, the age of superannuation of all the Doctors, including the present petitioners, shall be 62 years and not 60 years and as such, the petitioners are entitled to get their monthly emolument since they are discharged their duties. The learned senior counsel accordingly prays for directing the authorities to

release the monthly emolument of the petitioners as they are facing great hardship due to non-payment of their salary.

[4] Mrs. L. Monomala, learned GA appearing for the respondents submitted that instead of passing any interim order in the present writ petition, the writ petition may be heard on merit and dispose of and the respondents may be allowed to release the pay and allowances of the petitioners only after the disposal of the connected writ petition.

[5] I have heard the submission advanced by the learned counsel appearing for the parties at length and since it is an admitted fact that the petitioners are discharging their duties as Senior Residents and since the State Government had already extended the superannuation age of the Doctors of the Health Department from 60-62 years, this Court see no reason as to why the monthly pay and allowances of the petitioners should not be released. Accordingly, the respondents are directed to release the monthly pay and allowances due payable to the petitioners as expeditiously as possible but not later than 1 month from today.

With the aforesaid directions, the present application is disposed of.

Sapana

JUDGE