

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

WP(C) No.879 of 2025 with
MC (WP(C)) No.798 of 2025 with
MC (WP(C)) No.806 of 2025 with
MC (WP(C)) No.808 of 2025 with
MC (WP(C)) No.813 of 2025 with
MC (WP(C)) No.831 of 2025 with
MC (WP(C)) No.836 of 2025 with
MC (WP(C)) No.852 of 2025 with
WP(C) No.870 of 2025 with
WP(C) No.908 of 2025

M/s SD Printers

... Petitioner

-Versus-

Board of Secondary Education,
Manipur & 3 Ors

... Respondents

**BEFORE
HON'BLE MR. JUSTICE A.GUNESHWAR SHARMA**
8.12.2025

Present Mr.H.S.Paonam, learned senior counsel assisted by Mr.A.Arunkumar, learned counsel for L.1 in WP(C) No.870 of 2025, Mr.K.Modhusudon, learned counsel for petitioner in WP(C) No.879 of 2025, Mr.A.Jagjit, learned counsel along with Mr.Debdutt, learned for BOSEM and Mr.O.Ratankumar, learned counsel appearing on behalf of State respondents and Mr.M.Rarry, learned senior counsel assisted by Ms.Nikita, learned counsel for L.3 in all the connected writ petition and applications.

WP(C) Nos.870 of 2025 and 879 of 2025 have been filed by L.1 and L.2 bidders respectively challenging the order dated 24.10.2025 issued by BOSEM awarding contract to L.3 on the ground that rate quoted by L.3 is on higher side and L.1 and L.2 are technically

qualified bidders and there is no reasonable ground for rejection of L.1 and L.2.

When the matters were taken up, this Court passed interim order and intimated L.1, L.2 and L.3 about the offering of BOSEM to distribute works equally to the three technically qualified bidders. As L.1 objected, the matter could not be resolved. The matter was decided to be heard on merit and time was given for complete the pleadings.

Earlier interim order, keeping status quo of the matter was vacated by order dated 21.11.2025 with the observation and undertaking of Mr.M.Rarry, learned senior counsel for L.3 to refund excess if any. In the order dated 21.11.2025, this Court also recorded the objection of learned Advocate General, Manipur on serious allegation of irregularity in the proceeding of Tender Committee.

WP(C) No.908 of 2025 is filed by one Th.Matum Singh, Under Secretary in-charge, BOSEM for quashing/setting aside the letter dated 11.11.2025 sent by the Joint Secretary, Education (S), Government of Manipur to the Secretary, BOSEM directing to cancel the supply order granted to L.3 and to issue order to L.1 and this matter was pending and listed today. However, it is informed that another order dated 3.12.2025 issued by the Secretary, BOSEM, the award of contract dated 24.10.2025 granted to L.3 has been cancelled.

In the circumstance, learned senior counsel and counsel appearing for the petitioners in WP(C) Nos.870 and 879 of 2025 submits that since the subject matter of the writ petitions does not exist as on date, the writ petitions may be closed as infructuous along with the connected applications.

Recording the submissions made at the Bar and in view of subsequent event of issuance of order dated 3.12.2025 by the Secretary, BOSEM, cancelling award to L.3, this Court is of the opinion

that the subject matter in WP(C) Nos.879 and 879 of 2025 are no longer in existence. Accordingly, the writ petitions and connected applications are closed as infructuous.

With respect to WP(C) No.908 of 2025, it is evident that the same has been filed by the Under Secretary, BOSEM in his personal capacity against the State and Secretary, BOSEM challenging the direction in the letter dated 11.11.2025 issued by the Joint Secretary Education (S), Government of Manipur, directing the BOSEM to cancel the award to L.3 and issue fresh supply order to L.1.

It is also stated that the said direction is issued in exercise of Section 14 of the Manipur Elementary and Secondary Education Act, 1972 empowering the Government to take certain decision with respect to BOSEM. On reading contents of letter dated 11.11.2025 it is an opinion of the State Government to the BOSEM and it is for the BOSEM to comply or not. Besides this, Court has serious doubt about the maintainability of the writ petition filed by the Under Secretary, BOSEM in his personal capacity against the State and Secretary BOSEM.

Without expressing any opinion on merit of the case and considering the subsequent event of order dated 3.12.2025, the writ petition is closed. Connected misc cases are also closed.

Furnish a copy of this order to learned counsel for the parties in course of the day through WhatsApp or any other available means.

JUDGE

Priyojit

RAJKUMAR
R PRIYOJIT
SINGH

Digitally signed
by RAJKUMAR
PRIYOJIT SINGH
Date: 2025.12.10
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