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

WP(C) No. 929 of 2025

Prem Prasad Shivakoti

... Petitioner

Vs.

State of Manipur & ors.

... Respondents

B E F O R E
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

O R D E R

26-11-2025

[1] Heard Mr. N. Jotendro, learned senior counsel assisted by Syed Murtaza Ahmad, learned counsel appearing for the petitioner and Mr. Th. Vashum, learned GA appearing for the respondents.

[2] The present writ petition has been filed assailing the order dated 21-11-2025 issued by the Secretariat: Education (S) Department, Government of Manipur by which inter-transfer in respect of the petitioner and the respondent No. 3 have been effected. By the said impugned transfer order, the petitioner, who was earlier posted as Principal, Senapati Higher Secondary School and utilized at Khonghampat Higher Secondary School had been transferred and posted at Langmei Higher Secondary School, Tamei Sub-Division and the respondent No. 3, who was posted as Principal at Langmei Higher Secondary School had been transferred and posted at Thangtong Higher Secondary School and utilized at Khonghampat Higher Secondary School replacing the writ petitioner.

[3] Aggrieved by the said transfer order, the petitioner filed a representation dated 24-11-2025 to the Commissioner (Edn./S), Government of Manipur, with the request for reviewing or recalling the said impugned transfer order in terms of the transfer and posting policy contained in the orders dated 16-02-2019 issued by the Secretariat: Education (S) Department, Government of Manipur.

Some of the grounds taken by the writ petitioner in assailing the impugned transfer order are as under:-

- (i) That the petitioner is going to retire in the month of December, 2026 and effecting such transfer and posting order at the fake end of his service is unwarranted and arbitrary; and
- (ii) The petitioner has been subjected to frequent transfer in violation of the transfer and posting policy issued by the Government in its order dated 16-02-2019.

[4] It has been submitted by the learned senior counsel appearing for the petitioner that the representation submitted by the petitioner is still pending before the authorities for consideration and disposal till today. It has also been submitted on behalf of the petitioner that the writ petitioner will be satisfied if the present writ petition is disposed of by directing the Commissioner (Edn./S), Government of Manipur, to consider the said representation dated 24-11-2025 submitted by the petitioner on its own merit and strictly in terms of the transfer policy issued by the Government and to dispose of the same by issuing a speaking order within a stipulated period. It has further been submitted by the learned senior counsel that pending consideration and disposal of the said representation by the authorities, the petitioner may be allowed

to continue in his present place of posting, i.e., as Principal at Khonghampat Higher Secondary School.

[5] Mr. Th. Vashum, learned GA appearing for the respondents No. 1 and 2 submitted that as the petitioner has already approached the competent authority by filing a representation for redressing his grievances against the impugned transfer order dated 21-11-2025 and as the said representation is still pending for consideration and disposal, the present writ petition may be disposed of by directing the Commissioner (Edn./S), Government of Manipur, to consider the said representation and dispose of the same. The learned GA further submitted that at the time of consideration and disposal of the said representation, a chance of hearing be afforded to the respondent No. 3, viz., Karong Teneihoi as he may say later on that he had been condemned unheard.

[6] Considering the submissions advanced by the learned counsel appearing for the parties and on perusal of the materials available on record, this court is of the considered view that it will met the ends of justice to issue the following directions:-

- (i) The Commissioner (Edn./S), Government of Manipur, is hereby directed to consider the representation dated 24-11-2025 submitted by the petitioner on its own merit and strictly in terms of the transfer and posting policy as contained in the orders dated 16-02-2019 issued by the Secretariat: Education (S) Department, Government of Manipur and to dispose of the same by issuing a speaking order;

- (ii) At the time of consideration of the said representation, the Commissioner (Edn./S), Department, Government of Manipur must afford an opportunity of being heard to both the writ petitioner as well as the respondent No. 3, viz., Shri Karong Teneihoi to have their say against any action proposed to be taken by the Commissioner by issuing a written notice to both of them;
- (iii) It is made clear that the whole exercise should be completed within a period of one month from the date of receipt of a certified copy of this order;
- (iv) The Commissioner (Edn./S), Government of Manipur, is further directed to communicate a copy of the order passed by him in connection with the said representation to both the writ petitioner as well as the respondent No. 3 as expeditiously as possible; and
- (v) It is made clear that pending consideration and disposal of the aforesaid representation, the petitioner shall be allowed to continue to discharge his functions and duties at the earlier place of posting before issuance of the impugned transfer order.

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

JUDGE

Devananda

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

MC(WP(C)) No. 857 of 2025
(Ref:- WP(C) No. 929 of 2025)

Prem Prasad Shivakoti

... Applicant

Vs.

State of Manipur & ors.

... Respondents

B E F O R E
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

O R D E R

26-11-2025

In view of the order passed by this court in the connected writ petition, the present application stands closed.

JUDGE

Devananda