Item no. 105-133

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

MC(W.P. (C)) No. 75 of 2026 with MC(W.P. (C)) No. 136 of 2026 with MC(W.P. (C)) No. 18 of 2026 with MC(W.P. (C)) No. 19 of 2026 with MC(W.P. (C)) No. 20 of 2026 with MC(W.P. (C)) No. 21 of 2026 with MC(W.P. (C)) No. 22 of 2026 with MC(W.P. (C)) No. 223 of 2024 with MC(W.P. (C)) No. 28 of 2026 with MC(W.P. (C)) No. 29 of 2026 with MC(W.P. (C)) No. 69 of 2024 with W.P. (C) No. 114 of 2024 with W.P. (C) No. 125 of 2021 with W.P. (C) No. 177 of 2021 with W.P. (C) No. 187 of 2021 with W.P. (C) No. 205 of 2022 with W.P. (C) No. 270 of 2022 with W.P. (C) No. 329 of 2021 with W.P. (C) No. 359 of 2022 with W.P. (C) No. 365 of 2021 with W.P. (C) No. 386 of 2021 with W.P. (C) No. 406 of 2021 with W.P. (C) No. 602 of 2020 with W.P. (C) No. 605 of 2020 with W.P. (C) No. 619 of 2020 with W.P. (C) No. 71 of 2021 with W.P. (C) No. 746 of 2022 with W.P. (C) No. 77 of 2021 with W.P. (C) No. 78 of 2021

Md Nasir Khan

… Applicant

- Versus –

State of Manipur and 3 Ors.

… Respondents

B E F O R E
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

ORDER

18.02.2026

[1] Heard Mr. HS Paonam, learned sr. counsel assisted by Mr. N. Bipin, learned counsel on behalf of the writ petitioners and Mr. S. Niranjan, learned GA on behalf of the State respondents.

[2] In these batches of writ petitions, the writ petitioners who are the police personnel in Manipur Police challenged the departmental enquiry for their involvement in FIR cases against them in all the writ petitions and status quo order has been passed by this Court. In the circumstances, even if the proceeding

of the departmental enquiry is almost over, no effective order can be passed and departmental enquiry cannot be proceeded further in some cases due to the subsistence of interim order of maintaining the status quo.

[3] The learned sr. counsel for the writ petitioners submits that in some of the similar FIR cases, after vacating the interim order, the departmental enquiry against the police personnel for involvement in the FIR case has been closed by awarding punishment like warning or stoppage of increment ranging from 1 to 3 years. Thereafter, some of the writ petitioners filed the MC(W.P. (C)) No. 75 of 2026 in W.P. (C) No. 77 of 2021; MC(W.P. (C)) No. 136 of 2026 in W.P. (C) No. 187 of 2021; MC(W.P. (C)) No. 18 of 2026 in W.P. (C) No. 746 of 2022; MC(W.P. (C)) No. 19 of 2026 in W.P. (C) No. 329 of 2021; MC(W.P. (C)) No. 20 of 2026 in W.P. (C) No. 270 of 2022; MC(W.P. (C)) No. 21 of 2026 in W.P. (C) No. 605 of 2020; MC(W.P. (C)) No. 22 of 2026 in W.P. (C) No. 602 of 2020; MC(W.P. (C)) No. 28 of 2026 in W.P. (C) No. 177 of 2021 and MC(W.P. (C)) No. 29 of 2026 in W.P. (C) No. 78 of 2021. In these above mentioned misc. applications, similar prayer is made for vacating the interim order by directing the respondents for passing and issuance of similar order as passed in respect of other similarly situated police personnel such as warning or stoppage of increment for certain period of time. In MC(W.P. (C)) No. 21 of 2026 and MC(W.P. (C)) No. 22 of 2026, the State respondents filed similar reply stating that no order can be passed due to the subsistence of the interim order and in some cases the departmental enquiry cannot be proceeded and interim order may be vacated. The State respondents propose to complete the departmental enquiry proceedings against the writ petitioners as done in similarly situated cases by awarding him/them major or minor penalty as per rules and the findings submitted by the Enquiry Officer. The relevant 'para-3' of the reply filed by the State respondents in MC(W.P. (C)) No. 21 of 2026 is reproduced below for clarity:

> "*3. That, with reference to para No. 4 of the Misc. Application, the answering deponent begs to submit that a Departmental Enquiry was conducted against the petitioner and proceeding*

of D.E. has been almost completed, however an interim order passed by the Hon'ble High Court, Manipur in connection with W.P. (C) 605 of 2020 has been kept in status quo and as such the Departmental Enquiry is yet not completed. If the Hon'ble Court vacated the interim order of status quo and allow to proceed the Department Enquiry conducted against the said Constable, the Disciplinary Authority can close the Departmental Enquiry by awarding him major or minor penalty as per the findings submitted by the Enquiry Officer."

[4] Mr. S. Niranjan, learned GA submits that the status quo may be vacated and the State authority may be permitted to conclude the departmental enquiry proceedings as per law.

[5] The learned sr. counsel for the writ petitioners submits that these above mentioned 9(nine) writ petitions along with connected misc. applications may be disposed of by giving directions to the State respondents to complete the pending departmental enquiry against the writ petitioners and by passing similar order as done in other similarly situated case by giving punishment like warning or stoppage of increment.

[6] This Court has perused the materials on record and on perusal of MC(W.P. (C)) No. 21 of 2026, it is found that various orders have been passed by the competent authority against the police personnel involved in similar FIR cases by closing the same by warning or stoppage of increment ranging from 1 to 3 years. Since, the writ petitioners herein are also involved in similar FIR cases, their cases may be disposed of by the competent authority after considering the enquiry report in terms of the relevant rules and similar treatment may be considered for punishment like warning or stoppage of increment ranging from 1-3 years as applicable in each of these cases.

[7] Accordingly, the MC(W.P. (C)) No. 75 of 2026, MC(W.P. (C)) No. 136 of 2026 MC(W.P. (C)) No. 18 of 2026, MC(W.P. (C)) No. 19 of 2026, MC(W.P.

(C)) No. 20 of 2026, MC(W.P. (C)) No. 21 of 2026, MC(W.P. (C)) No. 22 of 2026, MC(W.P. (C)) No. 28 of 2026 and MC(W.P. (C)) No. 29 of 2026 are disposed of by vacating interim orders of status quo and permitting the respondents to conclude the pending departmental enquiries.

[8] With these observations, the W.P. (C) No. 77 of 2021, W.P. (C) No. 187 of 2021, W.P. (C) No. 746 of 2022, W.P. (C) No. 329 of 2021, W.P. (C) No. 270 of 2022, W.P. (C) No. 605 of 2020, W.P. (C) No. 602 of 2020, W.P. (C) No. 177 of 2021 and W.P. (C) No. 78 of 2021 are closed by giving liberty to the respondents to pass appropriate order in terms of the observations made in the order.

[9] It is clarified that this Court does not express any opinion on the merit of the case and pending criminal cases against the writ petitioners, if any.

[10] List the remaining cases on 25.03.2026.

[11] Earlier interim order in the remaining cases are extended till the next date.

JUDGE

Thoiba

KABORAMBAM LARSON

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