REPORTABLE

IN THE HIGH COURT OF MANIPUR

AT IMPHAL

WP(C) No. 147 of 2026

1. Mr. Wangkhem Ranjan S/o Wangkhem Binoy Singh, aged about 25 years, S/o, a resident of Ningomthong Sairom Leirak, P.O. Singjamei , P.S. Singjamei, Imphal West District, Manipur-795008 .

2. Mr. Sukham Bidyananda, aged about 35 years, S/o Sukham Kumar Singh, a resident of Bashikhong Torban Leikai, P.O. Singjamei, P.S. Irilbung, Imphal East District, Manipur-795008.

…... Petitioner/s

- Versus -

1. The Manipur University represented by the Registrar, Manipur University Canchipur, Imphal West Manipur -795003 .

2. Ministry of Education, Government of India through Secretary, Department of Higher Education, 122-C, Shastri Bhawan, New Delhi-110001.

3. University Grants Commission (UGC) through Chairman, Bahadur Shah Zafar Marg, New Delhi - 110002.

.....Respondent/s

With

MC(WP(C) No. 152 of 2026

Mr. Sukham Bidyananda, aged about 35 years, S/o Sukham Kumar Singh, a resident of Bashikhong Torban Leikai, P.O. Singjamei, P.S. Irilbung, Imphal East District, Manipur-795008.

…... Applicant/s

- Versus -

1. The Manipur University represented by the Registrar, Manipur University Canchipur, Imphal West.Manipur-795003.

2. Ministry of Education, Government of India through Secretary, Department of Higher Education, 122-C, Shastri Bhawan, New Delhi-110001.

3. University Grants Commission (UGC) through Chairman, Bahadur Shah Zafar Marg, New Delhi - 110002.

.....Respondent/s

With

MC(WP(C) No. 394 of 2026

[Applicants are treated as 'INTERVENORS' vide order dated 25.05.2026]

1. Shri Sagolsem Aboi Yaiphaba, aged about 31 years old, S/O Sagolsem Dhiren Singh of Langol Ningthou Leikai, P.O & P.S Lamphel. Imphal West District, Manipur 795004. (Recommended as MTS).

2. Shri Victor Thokchom, aged about 21 years old, S/O Thokchom Jitendra of Soibam Leikai Khanglabung Leirak, P.O & P.S Porompat, Imphal East District, Manipur-795001. (Recommended as MTS).

3. Gitu Oinam, aged about 19 years old, D/O Oinam Jayenta Singh of Langthabal Kunja Awang Leikai, P.O Canchipur, P.S Singjamei, Imphal West District, Manipur. (Recommended as MTS)

4. Achom Nelson Singh, aged about 32 years old, S/O Achom Kesho Singh of Khonghampat Mayai Leikai, P.O Mantripukhri, P.S Sekmai, Imphal West District, Manipur. (Recommended as Junior Assistant)

5. Chingnakham Sharla Devi, aged about 27 years old, D/O Ch. Gandhar Singh of Andro Khuman P.O & P.S Andro, Imphal East District, Manipur-795149. (Recommended as Technical Assistant)

6. Dorcas Panmei, aged about 36 years old, D/O Kiran Panmei of Langthabal Khoupum, P.O Langthabal & P.S Singjamei, Imphal West District, Manipur-795003. (Recommended as Junior Stenographer)

7. Languimeilu Kamei, aged about 24 years old, D/O Sanachao Kamei of Langthabal Khoupum, P.O Langthabal & P.S

Singjamei, Imphal West District, Manipur-795003. (Recommended as MTS)

8. Kamei Gaichui Kabuini, aged about 24 years old, D/O Kamei Tamphajao of Langthabal Khoupum,P.O Langthabal & P.S Singjamei, Imphal West District, Manipur-795003. (Recommended as Junior Assistant)

9. Moirangshang N. Hongsha, aged about 30 years old, D/O H. Tongin Maring of Old Lambulane Jail Road, P.O & P.S Imphal, Imphal West District, Manipur-795001. (Recommended as Technical Assistant)

10. Blessy Maringmei, aged about 23 years old, D/O Amos Maringmei of Langthabal Chingthak, P.O Langthabal & P.S Singjamei Imphal, Imphal West District, Manipur-795003. (Recommended as MTS)

11. Ahanthem Gaitri Devi, aged about 28 years old, D/O Ahanthem Abani Singh of Keisamthong Ahanthem Leikai, P.O & P.S Imphal, Imphal West District, Manipur-795001. (Recommended as MTS)

12. Thokchom Manoj Singh, aged about 34 years Old, S/O Thokchom Ramsingh of Heirangoithong Maibam Leikai. P.O,& P.S Singjamei, Imphal West District, Manipur-795008. (Recommended as Section Officer)

13. Wakambam Purnima Devi, aged about 30 years old, D/O Wakambam Sharat Singh of Uripok Khumanthem Leikai, P.O & P.S Imphal, Imphal West District, Manipur-795001. ((Recommended as Junior Assistant)

14. Chabungbam Velentina Devi, aged about 28 years old, D/O Ch. Dobel Singh of Heirangoithong Maibam Leikai, P.O & P.S Singjamei, Imphal West District, Manipur-795008. (Recommended as MTS)

15. Senjram Nomita Devi, aged about 30 years old, D/O S. Ibohal Singh of Meitram Makha Leikai, P.O Tulihal & P.S Nambol, Imphal West District, Manipur-795140. (Recommended as Technical Assistant)

16. Lenyndon Vemai, aged about 25 years old, S/O John of Taphou Phyamai, P.O & P.S Senapati, District Senapati, Manipur-795106. (Recommended as MTS)

17. Aeron Meitram, aged about 21 years old. S/O (L) Khangamba Meitram of Uripok Sorbon Thingel, P.O & P.S Imphal, Imphal West District, Manipur -795004.(Recommended as MTS)

18. Yaikhom Telheiba Meetei, aged about 35 years old, S/O Y. Pahari Meetei of Sekta Mayai Leikai, P.O & P.S Lamlai, Imphal East District, Manipur-795010. (Recommended as MTS)

19. Yumnam Bijen Singh, aged about 28 years old, S/O Y. Biren Singh of Top Siphai, P.O & P.S Wangoi, Imphal West District, Manipur-795009. (Recommended as MTS)

20. Remchungpu Remmei, aged about 30 years old, S/O Khumanjao Remmei of Keisamthong Kabuikhul, P.O & P.S Imphal, Imphal West District. Manipur-795001. (Recommended as MTS)

21. Maringmei Philip, aged about 31 years old, S/O Maringmei William of Loktak Projret, P.O & P.S Loktak, Churachandpur District, Manipur-795124. (Recommended as MTS)

22. Nongthombam Kabita Devi, aged about 27 years old, D/O N. Manihar Singh of Luwangsangbam Makha Leikai, P.O Mantriphukhri, P.S Heingang, Imphal East District, Manipur-795002. (Recommended as Junior Assistant)

23. Sarda Elangbam, aged about 28 years old, D/O N. Bishwajit Singh of Yaiskul Hiruhanba Leikai, P.O & P.S Imphal, Imphal West District, Manipur-795001. (Recommended as Junior Assistant)

24. Kamei Abungmei, aged about 37 years old, S/O Kamei David R. Naga of Loktak Project, Lamdan Village P.O & P.S Komkeirap, District Churandchandpur, Manipur-795124. (Recommended as MTS)

25. Thairilung Golmei, aged about 32 years old, S/O Mohon Golmei of Namdunlong Stadium Road, P.O & P.S Imphal, Imphal East District, Manipur-795001. (Recommended as Junior Assistant)

26. Ahanthem Sankar Singh, aged about 36 years old, S/O Ahanthem Isheihanba of Wangoo Naodakhong Mayai Leikai, P.O Moirang, P.S Kumbi, Bshnupur District, Manipur-795133. (Recommended as Junior Stenographer)

27. Elengbam Shyamananda Singh, aged about 31 years old, S/O (L) E. Bijoy Singh of Nambol Mongjing Leikai, P.O & P.S Nambol, District Bishnupur, Manipur-795134. (Recommended as MTS)

28. Nitish Laishram, aged about 24 years old, S/O L. Brojen Singh of Mayang Imphal Thana Wangkhei Leikai, P.O & P.S Mayang Imphal, Imphal West District, Manipur-795132. (Recommended as MTS)

29. Kangujam Ronaldo Singh, aged about 35 years old, S/O K. Mangi Singh of Lalambung Makhong Takhellambam Leikai, Thangjam Leirak, P.O Imphal, P.S City Police Station, Imphal West District, Manipur-795001. (Recommended as Section Officer)

30. Yambem Ranjan Singh, aged about 32 years old, S/O Y. Naba Singh of Charangpat Mamang Leikai, P.O & P.S Thoubal, District Thoubal, Manipur-795138. Recommended as Technical Assistant)

…... Intervenor/s

With

MC(WP(C) No. 395 of 2026

[Applicants are treated as 'INTERVENORS' vide order dated 26.05.2026]

31. S. Bishwanath Meitei, aged about 32 years, S/o resident of Wangkhei Thambalkhong, P.O. Porompat, Imphal East District, Manipur-795005;

32. Yangambam Suraj Singh aged about 26 years, S/o Y. Anand Singh, resident of Keinou Thongthak Awang Leikai, P.O. Nambol, P.S. Bishnupur, Bishnupur District, Manipur-795134;

33. N Naoba Singh, aged about 31 years S/o N Golden Singh of Mayang Imphal Konchak, P.O. & P.S. Mayang Imphal West District, Manipur-795132;

34. Ajax Ngasam, aged about 27 years, S/o N. Jiten of Khurai Ningthoubung Leikai, P.O. Lamlong, Imphal East District, Manipur-795010; 4.

35. M. Nganba Singh, aged about 25 years, S/o M Thoiba Singh of Khaidem Mayai Leikai, P.O. Nambol, P.S. Patsoi, Imphal West District, Manipur-795134;

…...Intervenor/s

B E F O R E
HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

For the petitioner/s	::	K. Kishan Singh, Adv.
For the respondent/s	::	Mr. BP. Sahu, Sr. Adv. assisted by Mr. Deepak Prasad Sahu, Adv., Mr. Anjan Prasad Sahu, Adv. & Mr. Abishek Prasad Sahu, Adv. Mr. Kh. Tarunkumar, Sr. Adv. assisted by Mr. M. Rustam, Adv. [all for Manipur University] Mr. S. Vijayanand Sharma, Sr. PCCG [for Central Government] Mr. S. Jasobanta, Adv. [for UGC]
For the Intervenor/s	::	Mr. HS. Paonam, Sr. Adv. assisted by Ms. Harichhaya, Adv. [MC(WP(C) No. 394 of 2026] Mr. A. Mohendro, Adv. with Mr. Kh. Lupenjit, Adv. [MC(WP(C) No. 395 of 2026]
Date of Hearing	::	05.06.2026
Date of Judgement & Order	::	19.06.2026

JUDGEMENT & ORDER (CAV)

A. Guneshwar Sharma, J.

[1] By the present writ petition being WP(C) No. 147 of 2026, the petitioners challenged the Advertisement No. 2/2025 vide No. MU/VI/14/2025/Admin.I/115 dated 13.05.2025 issued by the Registrar i/c, Manipur University (in short and hereinafter referred to as 'MU') for recruitment of Group B and C post in Manipur University including the post of Junior Assistant and Multi-Tasking Staff (MTF); and the subsequent notices dated 19.10.2025, 12.09.2025, 24.09.2025, 30.09.2025 and 27.01.2025 issued by Manipur University for recruitment of 78 non-teaching posts in the University; to declare Cadre Recruitment

Rules (CRRs) for non-teaching post 2024 as illegal and void, as the same being without approval of the Visitor (i.e. Hon'ble President of India); and to quash all consequential recruitment process and advertisement including shortlisting of candidates. In the advertisement, 12 different category of posts numbering 78 in total, have been advertised including 10 posts of Junior Assistant appearing at serial No. 7 and 35 posts of Peon/Multi-Tasking Staff (Janitor, Chowkidar, Ward Boy/Mess Helper, Gardener, Conductor cum Cleaner, Sweeper) appearing at serial No. 12 of the advertisement. The petitioner No. 1 (Wangkhem Ranjan) applied and appeared for the post of Peon/Multi-Tasking Staff and was not successful in the examination while petitioner No. 2 (Sukham Bidyananda) applied for the post of Junior Assistant. However, petitioner No. 2 did not appear in the examination on the apprehension that the examination would be set aside, as the recruitment was conducted on the basis of illegal recruitment rules without obtaining assent from the Visitor/Hon'ble President of India.

[2] Along with the writ petition, an application being MC(WP(C) No. 152 of 2026 has been filed by petitioner No. 2 praying to withhold declaration of the result of the examination vide advertisement No. 2/2025 dated 13.05.2025 for appointment of 78 posts, as the result of the examination held on 28.01.2026 during the pendency of the writ petition. The prayers in WP(C) No. 147 of 2026 and MC(WP(C)) No. 152 of 2026 are reproduced below:

"WP(C) No. 147 of 2026:

i. Issue a writ in the nature of Certiorari or Mandamus or any other appropriate writ or writ(s) or directions(s) to quash and set aside Advertisement No. 2/2025 vide no.MU/VI/14/2025/Admin.I/115 dated

13/05/2025 and consequent notice dated 10/09/2025, 12/09/2025, 24/09/2025, 30/09/2025 & 27/01/2026 issued by Manipur University for recruitment of 78 non-teaching posts.

ii. Declare that Cadre Recruitment rules of non-teaching Posts 2024 of Manipur University, without Visitor's approval is illegal and void and to quash and set aside all consequent recruitment process, advertisement including shortlisting and tests.

iii. Pass any order(s) as to this Hon'ble Court may seem fit and proper for the ends of justice.

MC(WP(C) *No. 152 of 2026:*

i. Direct the respondent No. 1 to withhold declaration of results of the examination vide Advertisement No. 2/2025 Date 13.05.2025 vide No. MU/VI/14/2025/Admin.I/115 for appointment of 78 posts as held examination on 28.01.2026 during the pendency of this writ petition.

ii. Pass any other order or direction as this Hon'ble Court may deem fit and proper in the interest of justice."

[3] The scan copy of the front page of advertisement No. 2/2025 dated 13.05.2025 issued by Manipur University is reproduced as:

MANIPUR UNIVERSITY
CANCHIPUR: IMPHAL

ADVERTISEMENT NO. 2 /2025
Dated, the 13th May, 2025

No. MU/VI/14/2025/Admn.I:/115 Applications (online) are invited from eligible candidates for appointment to the following Group - B & C posts in the Manipur University.

Post Code	Name of Post	Scale of pay (Revised)	Pay Level	No. of Post	To be filled by the following category
01	Section Officer	44900-142400	Level-7	3	1-UR,1-SC,1-OBC
02	Stenographer	35400-112400	Level-6	2	1-UR, 1-OBC
03	Senior Assistant	35400-112400	Level-6	2	1-UR, 1-OBC
04	Technical Assistant [*Physics, Chemistry, Computer Science, Biochemistry, Language Lab, Life Sciences (Zoology, Botany)*]	29200-92300	Level-5	8	4-UR, 3-ST, 1-OBC
05	Assistant	25500-81100	Level-4	4	3-UR,1-ST
06	Junior Stenographer	25500-81100	Level-4	4	2-UR, 1-ST, 1-SC
07	Junior Assistant	19900-63200	Level-2	10	6-UR, 1-OBC, 3-ST
08	Driver	19900-63200	Level-2	3	1-UR, 1-ST, 1-OBC
09	Cook	19900-63200	Level-2	3	2-UR, 1-ST
10	Library Attendant	18000-56900	Level-1	1	1-ST
11	Laboratory Attendant	18000-56900	Level-1	3	1-UR, 1-OBC (PWD), 1-ST
12	Peon/Multi-Tasking Staff (Janitor, Chowkidar, Ward Boy/Mess Helper, Gardener, Conductor cum Cleaner, Sweeper)	18000-56900	Level-1	35	17-UR, 1-UR(PWD), 12-ST, 4-OBC, 1-SC
			Total =	**78**	

Application form has to be made online only from the University website **www.manipuruniv.ac.in** and then downloaded hard copy of the application along with the required documents and proof of fee has to be submitted to: **The Registrar, Manipur University, Canchipur, Imphal -795003.** The **'Name of the Post Applying For'** must be clearly mentioned on the envelope containing the application. Those in service should apply through proper channel.

Application fee of Rs. 500/- for UR & OBC candidates and Rs. 300/- for SC/ST/PWD candidates have to be paid online.

Details of Required Qualifications & General Terms and Conditions is available at the website: **www.manipuruniv.ac.in**

*** The above advertised posts were not included in the advertisements issued in the years 2019 and 2020 vide Advt. No. 2/2019 dated, the 27th May, 2019 and Advt. No.3/2020 dated, the 30th November, 2020 respectively. These vacancies are fresh and have arisen independently.**

IMPORTANT DATELINES

START OF ONLINE APPLICATION	**15/05/2025, 05:00 P.M. ONWARDS**
LAST DATE FOR ONLINE APPLICATION	**13/06/2025 UPTO 05:00 P.M.**
LAST DATE FOR RECEIPT OF HARD COPY PRINT OUT ALONG WITH DOCUMENTS	**30/06/2025 UPTO 03:00 P.M.**

13/5/25
(Prof. Th. Binoy Singh)
Registrar i/c

[4] Mr. K. Kishan Singh, learned counsel for the petitioners, has pointed out that a letter dated 27.09.2022 from Secretary, University Grants Commission (UGC) was addressed to the Registrar of all Central Universities, India for adoption of Model Cadre Recruitment Rules (MCRRs) for universities. It is mentioned in the letter that the Ministry of Education, Government of India requested University Grants Commission (UGC) vide letter dated 10.03.2022 to constitute a committee for formulation of Model Cadre Recruitment Rules for non-teaching employees in view of the difficulties faced by some of the universities for finalization of their own Cadre Recruitment Rules (CRRs). Along with the letter dated 27.09.2022, the Model Cadre Recruitment Rules approved by the UGC was forwarded to all the Central Universities for appropriate action, wherever the CRRs approved by their own competent authority are not available. It is also clarified in the letter that the University, having CRRs approved by the competent authority, may continue with the recruitment process of non-teaching post as per their approved CRRs and dying cadre posts are not to be filled up. It is further explained in the letter dated 27.09.2022 (Annexure-A/6 Colly) issued by the UGC that annexed MCRRs of any seat/post existing/sanctioned in the University is not cadre in this rule, the University may referred to the proposed CRRs for such post for approval. This letter dated 27.09.2022 issued by the Secretary, UGC to the Registrar, All Central Universities is reproduced as:

> "The Registrar
> All Central Universities (45)
>
> Subject: Model Cadre Recruitment Rules for Central Universities-reg.
>
> Madam/Sir,
>
> *As you are aware, UGC is continuously pursuing with all Central Universities for filling up of all vacant posts and to*

conduct recruitment of faculty and non-teaching positions on a Mission Mode

2. In view of the difficulties faced by some Central Universities for finalization of their Cadre Recruitment Rules (CRRs) of non-teaching employees, Ministry of Education requested UGC vide letter No.F.45-1/2022-CU-III dated 10th March, 2022 to constitute a committee for formulation of Model Cadre Recruitment Rules for non-teaching employees.

3. Accordingly, UGC constituted an expert Committee for the purpose and based on the Committee's recommendations, the Commission approved the Model CRRs for non-teaching positions in its meeting held on 22nd September, 2022.

4. The Model Cadre Recruitment Rules as approved by the Commission are attached herewith for taking appropriate action, wherever the CRRs approved by their competent authority are not available. The Universities having CRRs approved by the competent authority, may continue with the recruitment processes for non-teaching positions as per their approved CRRs. Also, the dying cadre posts are not to be filled up.

5. In case, the Model CRRs of any specific post existing/sanctioned in any university is not covered in these rules, the university may refer the proposed CRRs of such post to the UGC for approval.

With regards,

Yours sincerely.

(Rajnish Jain)"

[5] Mr. K. Kishan Singh, learned counsel for the petitioners, further refers to the proceedings of the 36th Meeting of the Executive Council of MU held on 06.10.2022 at 1:00 p.m. in the Committee Room of the Vice-Chancellor's Secretariat with the VC in the Chair and the Executive Council resolved to adopt UGC Model Cadre Recruitment Rules forwarded vide letter dated 27.09.2022 for implementation from the next recruitment for vacant positions to be advertised. It is also mentioned

that recruitment of non-teaching posts already advertised and screening process had been completed, be conducted according to the existing RRs of the University. Vide letter dated 01.11.2022, the Registrar, Manipur University forwarded the proceedings of the 36th Meeting of the Executive Council to the Ministry of Education, Government of India for approval of Model Cadre Recruitment Rules for non-teaching and other academic posts. The relevant portion of 36th Meeting of the Executive Council's resolution No. 11/36 dated 06.10.2022 is reproduced as:

> "11/36/6.10.2022
> Consideration of the Model Cadre Recruitment Rules (CRRs) for Central Universities
>
> *The Executive Council, after an in-depth discussion resolved that it is mandatory to adopt UGC Model Cadre Recruitment Rules forwarded vide their letter No.F. No.7-1/2022 (JCRC) dated 27.09.2022 for implementation from the next recruitment for vacant positions to be advertised.*
>
> *However, recruitment of the non-teaching posts already advertised and screening process had been completed be conducted according to the existing RRs of the University."*

[6] The Under Secretary, Department of Higher Education, Ministry of Education, Government of India informed the Registrar, Manipur University vide letter dated 25.05.2023, seeking clarification about MCRRs for non-teaching positions of Manipur University. In para 2(a), it is specifically mentioned that the Recruitment Rules should be approved by the Hon'ble Visitor and it should also be duly notified and uploaded on the website of the University; Para 2(b), the posts of Library Cadre, i.e., Assistant Librarian and above and cadre of Assistant Director of Physical Education and above are to be regulated by the corresponding

regulations and should not be a part of CRRs. It is also reiterated that the University not to advertise and fill up any of the non-teaching post until and unless CRRs of non-teaching posts as part of Ordinance, are approved by the competent authority.

[7] By a letter dated 18.10.2021, the Under Secretary, UGC informed to the Registrar of all Central Universities to frame Cadre Recruitment Rules. Mr. K. Kishan Singh, learned counsel for the petitioners, has further pointed out to another letter dated 18.10.2021 issued by the Under Secretary, UGC to all Central Universities informing to frame Cadre Recruitment Rules of the non-teaching posts in the Central Universities with the condition that the University shall not fill up any posts of non-teaching posts until and unless CRRs of non-teaching post as part of the Ordinance is approved by the Ministry of Education. Any further amendment for CRRs, if any, also need to be approved by the Ministry of Education (MoE) and Universities are informed to send a copy of the CRRs to the UGC and there will be no recruitment with interview at the junior level posts Group C & D. In the proceedings of the 40th Meeting of the Executive Council of MU held on 30.12.2024 for consideration of corrected MCRRs for non-teaching positions of Manipur University was approved with the rationalisation of posts and scale of pay to the fulfilment of the required RRs. The Relevant portion of the resolution in 40th Meeting of Executive Council of MU is reproduced as:

> *"**14/40/30.12.2024***
> ***Consideration of the Corrected Model Cadre Recruitment Rules for the Non-Teaching Positions of the Manipur University***
>
> *The Executive Council unanimously resolved to approve the Corrected Model Cadre Recruitment Rules for Non-Teaching*

Positions of Manipur University. The Executive Council further resolved to approve rationalization of posts and scale of pay of the following Non-Teaching posts as per Corrected Model Cadre Recruitment Rules subject to the fulfilment of the required RRs."

Rationalization were done for 25 posts of non-teaching.

[8] Mr. K. Kishan, learned counsel for the petitioners, further submits that the Registrar, Manipur University submitted a letter dated 16.01.2025 to the Under Secretary, Department of Higher Education, Ministry of Education, Government of India, New Delhi for obtaining assent of the Hon'ble Visitor to the Cadre Recruitment Rules (CRRs) of non-teaching posts of Manipur University and requested to communicate the same to the University as soon as possible. In the letter dated 25.05.2023 of the Ministry of Education, Department of Higher Education, Government of India, Resolution No. 14/40/30.12.2024 of the 40th Meeting of the Executive Council held on 30.12.2024 is enclosed as part of Annexure-A/11. The extract of the Executive Council resolution No. 14/40/30.12.2024 as enclosed in Annexure-A/11 and list of sanctioned non-teaching posts in Manipur University as annexed in Annexure-A/11, the scan copy is reproduced as:

*"**14/40/30.12.2024***
Consideration of the Corrected Model Cadre Recruitment Rules for the Non-Teaching Positions of the Manipur University
The Executive Council unanimously resolved to approve the Corrected Model Cadre Recruitment Rules for Non-Teaching Positions of Manipur University. The Executive Council further resolved to approve rationalization of posts and scale of pay of the following Non-Teaching posts as per Corrected Model Cadre Recruitment Rules subject to the fulfilment of the required RRs."

RATIONALISATION OF POSTS AND SCALE OF PAY OF NON-TEACHING POSTS WHILE FRAMING THE RECRUITMENT RULES OF NON-TEACHING POSTS OF MANIPUR UNIVERSITY

S.NO.	NAME OF THE POST	DETAILS OF RATIONALISATION
1	University Engineer **(Pay scale upgraded)**	At present, the post of University Engineer is in the **Pay Level-12**. This post has been rationalized in the **Pay Level 13** as prescribed in the Model Cadre Recruitment Rules.
2	Statistical Assistant **(only post nomenclature has been rationalized as per UGC nomenclatures)**	The post of **Statistical Assistant** in the **Pay Level 6** has been rationalized as **Senior Statistical Assistant** in the **Pay Level 6** as prescribed in the Model Cadre Recruitment Rules.
3	Stenographer **(only post nomenclature has been rationalized as per UGC nomenclatures)**	The post of **Stenographer** in the **Pay Level 6** has been rationalized as **Personal Assistant** in the **Pay Level 6** as prescribed in the Model Cadre Recruitment Rules.
4	Senior Assistant **(only post nomenclature has been rationalized as per UGC nomenclatures)**	The post of **Senior Assistant** in the **Pay Level 6** has been rationalized as **Assistant** in the **Pay Level 6** as prescribed in the Model Cadre Recruitment Rules.
5	Computer Assistant **(only post nomenclature has been rationalized as per UGC nomenclatures)**	The post of **Computer Assistant** in the **Pay Level 6** has been rationalized as **Senior Technical Assistant (Computer)** in the **Pay Level 6** as prescribed in the Model Cadre Recruitment Rules.
6	Section Officer (Civil/ Electrical) **(Pay scale upgraded)**	The post of **Section Officer (Civil/Electrical)** in the **Pay Level 5** has been rationalized as **Junior Engineer (Civil/Electrical)** in the **Pay Level 6** as prescribed in the Model Cadre Recruitment Rules.
7	Staff Nurse **(Pay scale upgraded)**	The post of **Staff Nurse** in **Pay Level 5** has been rationalized as **Staff Nurse** in the **Pay Level 6** as per core pay scale approved by the UGC.
8	Data Entry Operator **(only post nomenclature has been rationalized as per UGC nomenclatures)**	The post of **Data Entry Operator** in the **Pay Level 5** has been rationalized as **Technical Assistant (Computer)** in the **Pay Level 5** as prescribed in the Model Cadre Recruitment Rules.

9	Library Technician **(only post nomenclature has been rationalized as per UGC nomenclatures)**	The post of **Library Technician** in the **Pay Level 5** has been rationalized as **Semi Professional Assistant** in the **Pay Level 5** as prescribed in the Model Cadre Recruitment Rules.	
10	Maintenance Inspector **(only post nomenclature has been rationalized as per UGC nomenclatures)**	The post of **Maintenance Inspector** in the **Pay Level 4** has been rationalized as **Sanitary Supervisor** in the **Pay Level 4.**	
11	Assistant **(only post nomenclature has been rationalized as per UGC nomenclatures)**	The post of **Assistant** in the **Pay Level 4** has been rationalized as **Upper Division Clerk** in the **Pay Level 4.**	
12	Store Keeper **(only post nomenclature has been rationalized as per UGC nomenclatures)**	The post of **Store Keeper** in the **Pay Level 4** has been rationalized as **Upper Division Clerk** in the **Pay Level 4.**	
13	Junior Stenographer **(only post nomenclature has been rationalized as per UGC nomenclatures)**	The post of **Junior Stenographer** in the **Pay Level 4** has been rationalized as **Stenographer** in the **Pay Level 4** as prescribed in the Model Cadre Recruitment Rules.	
14	Library Attendant **(Pay scale downgraded)**	The post of **Library Attendant** in the **Pay Level 2** has been rationalized as **Library Attendant** in the **Pay Level 1**as prescribed in the Model Cadre Recruitment Rules.	
15	Telephone Operator **(only post nomenclature has been rationalized as per UGC nomenclatures)**	The post of **Telephone Operator** in the **Pay Level 2** has been rationalized as **Lower Division Clerk** in the **Pay Level 2.**	
16	Binder **(Pay scale downgraded)**	The post of **Binder** in the **Pay Level 2** has been rationalized as **Library Attendant** in the **Pay Level 1.**	
17	Dispatch Rider **(only post nomenclature has been rationalized as per UGC nomenclatures)**	The post of **Dispatch Rider** in the **Pay Level 2** has been rationalized as **Driver** in the **Pay Level 2.**	
18	Junior Assistant **(only post nomenclature has been rationalized as per UGC nomenclatures)**	The post of **Junior Assistant** in the **Pay Level 2** has been rationalized as **Lower Division Clerk** in the **Pay Level 2.**	
19	Laboratory Attendant **(Pay scale downgraded)**	The post of **Laboratory Attendant** in the **Pay Level 2** has been rationalized as **Laboratory Attendant** in the **Pay Level 1** as prescribed in the Model Cadre Recruitment Rules.	
20	Electrician **(Pay scale upgraded)**	The post of **Electrician** in the **Pay Level 2** has been	

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		rationalized as Electrician in the Pay Level 4.	
21	Scribe (only post nomenclature has been rationalized as per UGC nomenclatures)	The post of Scribe in the Pay Level 2 has been rationalized as Lower Division Clerk in the Pay Level 2 as now the post of Scribe in nor required in view of the new technology.	
22	Field Assistant (only post nomenclature has been rationalized as per UGC nomenclatures)	The post of Field Assistant in the Pay Level 2 has been rationalized as Lower Division Clerk in the Pay Level 2.	
23	Gestetner Operator (Pay scale downgraded)	The post of Gestetner Operator in the Pay Level 2 has been rationalized as Multi Tasking Staff in the Pay Level 1 keeping in view of the DoPT instructions.	
24	Gas Attendant (Pay scale downgraded)	The post of Gas Attendant in the Pay Level 2 has been rationalized as Laboratory Attendant in the Pay Level 1.	
25	Cook (Pay scale upgraded)	The post of Cook in the Pay Level 1 has been rationalized as Cook in the Pay Level 2 keeping in view of the instructions issued by UGC.	

15/40/30.12.2024

Consideration of the Order of the Hon'ble High Court of Manipur dated 28.08.2024 in the W.P.(C) No.3 of 2024 with MC(WP(C) No.2 of 2024 for linking up of past service of Dr. Telem Ibungochouba Singh, Department of Mathematics, Manipur University

The Executive Council, after an in-depth discussion, unanimously resolved to comply with the Order dated 28.08.2024 of the Hon'ble High Court of Manipur passed in W.P.(C) No.3 of 2024 with MC(WP(C) No.2 of 2024 for linking up of past service of Dr. Telem Ibungochouba Singh, Assistant Professor, Department of Mathematics w.e.f. 14.05.2013 for the purpose of CAS in the cadre of Assistant Professor (Stage-2) by counting his past service in Government College.

The meeting ended with a vote of thanks from the Chair.

[9] In the writ petition along with this letter dated 16.01.2025, Manipur University Cadre Recruitment Rules for non-teaching posts 2024 is also enclosed claiming the same as part of the enclosure to letter dated 16.01.2025 (Annexure-A/12 Colly). By a letter dated 04.04.2025, the Under Secretary, Government of India informed the Registrar (i/c), Manipur University to submit the proposal dated 16.01.2025 for the Model Cadre Recruitment Rules for non-teaching positions in Manipur University online through SAMARTH Portal. Thereafter, Manipur University submitted the resolution No. 14/40/30.12.2024 of the 40th Meeting of the Executive Council adopting Model Cadre Recruitment Rules on 30.12.2024, the Ordinance Amendment Request was submitted online on 14.10.2025 at 10:29:29 Hrs. and the Ordinance is numbered D-14.

[10] Mr. K. Kishan Singh, learned counsel for the petitioners, refers to the provisions of Manipur University Act (in short, MU Act), 2005 (No. 54 of 2005). Section 9(1) of MU Act provides Hon'ble President of India as the 'Visitor' of the University. Section 23(1) prescribes the Executive Council as the 'Principal Executive Body' of the University. Section 30 (1) & (2) explain 'First Statutes' are those set out in the Schedule and the Executive Council has the power to make new or additional Statutes or may amend or repeal the statutes. Section 30(3) mandates that any new Statute or addition to the Statutes or any amendment or repeal of Statute require the assent of the Visitor, who may assent thereto or withhold assent or remit to the Executive Council for re-consideration. Section 30(4) stipulates that a new Statute or a Statute amendment or repealing an existing statute shall have no validity, unless it has been assented to by the Visitor. Section 31(2) empowers the 'Vice-Chancellor' to make 'first Ordinances' with previous approval of the Central Government; the Ordinance so make may be amended, repealed or added to at any time by the Executive Council in the manner prescribed by the Statutes. Section 46(1) of the Act makes it mandatory that every

Statute, Ordinance or Regulation made under this Act shall be published in the official gazette and Section 46(3) provides Statutes, Ordinances or Regulations can be made to give retrospective effect not earlier than the date of commencement of the parent Act. Along with Manipur University Act, 2005, the Schedule appended in terms of Section 30 of the Act provides for "Statutes of the University". Statute 41 empowers to amend, repeal or add to the first Ordinance made under Section 31(2) of the Act; and the Executive Council shall not make any Ordinance under Section 31(1) unless such draft Ordinance has been approved by the 'Academic Council'. Statute 41(6) says that every Ordinance made by the Executive Council should be submitted to the Visitor within two weeks from the date of its adoption. Statute 41(7) provided the Visitor has power to direct the University to suspend the operation of any Ordinance. Statute 41(8) states that the Visitor shall inform the Executive Council about the objection to the Ordinance referred to in clause (7) and after receiving the comments from the University, the Visitor may either withdraw the order suspending the Ordinance or disallow the ordinance, and the decision of the Visitor shall be final.

[11] It is the core submission of Mr. K. Kishan Singh, learned counsel for the petitioners, that in terms of provisions of Manipur University, especially, the provision of Statute 41 and in terms of letter dated 27.09.2022 from UGC, the asset of Visitor of Manipur University has not been granted till date to the Cadre Recruitment Rules submitted, especially, CRRs 2024 and in spite of not getting assent from the Visitor, the advertisement No. 2/2025 dated 13.05.2025 has been issued and recruitment process has been proceeded; and one Mr. Hidam Ojitkumar who was serving as Junior Assistant on a daily-wage basis was shortlisted in the eligible list for the skill test without fulfilling the eligibility criteria. In short, Mr. K. Kishan Singh, learned counsel, emphasizes that the advertisement No. 2/2025 and recruitment proceedings are void ab

initio, being based on CRRs 2024 which is yet to be assented by the Visitor.

[12] The main ground for challenge the advertisement No. 2/2025 dated 13.05.2025 CRRs 2024 are:

(i) The same is in violation of the Ministry letter dated 25.05.2023 which mandates approval of the Hon'ble Visitor of the CRRs and Mandatory uploading of the same in the website of the University and not to advertise for filling up vacant of non-teaching posts until and unless CRRs of the non-teaching positions as part of the Ordinance, are approved by the competent authority;

(ii) The recruitment undertaken pursuant to advertisement No. 2/2025 dated 13.05.2025 for filling up of 78 non-teaching posts has been issued by Manipur University under an Ordinance purportedly framed in terms of Statute 31(1)p of the Statutes without approving prior approval from the competent authority and without securing assent of the Visitor as mandated under Section 30(3) & (4) of Manipur University Act and Manipur University has no independent right to frame Cadre Recruitment Rules without following the procedure prescribed under the Act;

(iii) The proposal to seek assent of the Visitor was sent beyond stipulated timeline in violation to Section 41(6) of the Act and the entire process is vitiated;

(iv) The corrected Model CRRs for non-teaching positions 2024 of Manipur University has already lapsed, as it was adopted on 30.12.2024 but has neither been laid before Parliament nor published on Official Gazette nor received the assent of the President of India as mandated under 30(4) and 46(1) & (2) of Manipur University Act. The advertisement is not in terms of the corrected CRR and the used of obsolete post titles after rationalization renders advertisement rendered the advertisement defective;

(v) The conduct of the authorities of Manipur University is arbitrary, irrational, unreasonable and illegal. If such conduct is permitted to continue, it is likely to have serious consequences in the future.

[13] When the matter was taken up on 25.02.2026, this Court issued notice to the respondents and observed that the issue involved in the present case is the examination of the rule making power of the 'Executive Council' of Manipur University for making CRR itself which is the very foundation of the recruitment process. Since the results have already been declared on 23.02.2026, this Court passed an interim order staying the issue of appointment order to the candidates who have been declared successful or to any other persons and all further proceedings pursuant to the advertisement No. 2/2025 dated 13.05.2025 would remain stay/be kept in abeyance till next listing and the interim order has been extended from time to time. It may be relevant to reproduce the proceeding of this Court's order dated 25.02.2026:

> ***"25.02.2026***
> [1] Manipur University at Canchipur, Imphal issued an advertisement being Advertisement No. 2/2025 dated 13.05.2025 inviting applications from eligible candidates for

appointment to 78 (seventy eight) posts (Group – B and Group – C posts). To be noted, names of the posts are 12 (twelve) in number and in the captioned matter the writ petitioners are concerned with Junior *Assistant and Peon/Multi-Tasking Staff (Janitor, Chowkidar, Ward Boy/Mess Helper, Gardener, Conductor cum Cleaner, Sweeper). To be noted, first writ petitioner applied for latter and the second writ petitioner applied for the former. The first writ petitioner was unsuccessful but the second writ petitioner did not appear for the examination apprehending that examination may be set aside on the ground that the cadre Recruitment Rules of Manipur University are likely to be struck down.*

[2] Mr. Keisham Kishan, learned counsel on record for writ petitioners submits that the uploaded advertisement has been issued pursuant to cadre Recruitment Rules of Non-Teaching Posts, 2024 ('CRR Rules' for convenience) but CRR Rules are liable to be struck down on the ground that it does not have the approval of the Visitor and it was further submitted that the Visitor is Hon'ble President of India.

[3] Though learned counsel for writ petitioners predicated his campaign against CRR on the above point, on a close scrutiny of CRR, the following points come to light –

> *(a) CRR which has been made by the executive council of Manipur University says that it has been made in exercise of powers under Section 31(1)(p) of the Statutes but Section 31 of the Statutes does not have any sub-Section or Sub-Clause;*
>
> *(b) CRR also says that it is pursuant to Ordinance D-14 but entire Ordinance D-14 is not before us though it comes to light that Ordinance D-14 is an Ordinance made vide resolution No. 14/40 made by the executive council of Manipur University in the meeting held on 30.12.2024.*

[4] Issue notice.

[5] Mr. Anjan Prasad Sahu, learned counsel accepted notice for R-1 (Manipur University represented by Registrar, Manipur University, Canchipur, Imphal West, Manipur - 795003), Mr. S. Vijayanand, learned Sr. PCCG (Senior Panel Counsel for Central Government) accepted notice for R-2 (Ministry of Education, Government of India though Secretary, Department of Higher Education, 122-C, Shastri Bhawan, New Delhi - 110001) and Mr. Jasobanta, learned

counsel accepted notice for R-3 [University Grants Commission (UGC) through Chairman, Bahadur Shah Zafar Marg, New Delhi – 110002]. To be noted, R-1, R-2 and R-3 are abbreviations denoting first, second and third respondents respectively. R-3 will be referred to as 'UGC' also for the sake of convenience.

[6] Mr. BP. Sahu, learned senior advocate appeared on behalf of Mr. Anjan Prasad Sahu who accepted notice for R-1.

[7] This Court wanted to know from learned senior counsel the Rule making power of the executive council of Manipur University. This Court also wanted to know the reason for reference of Section 31(1)(p) of the Statutes when there is no such provision.

[8] Learned senior counsel very fairly submitted that Section 31(1)(p) may be a reference to Section 31(1)(p) of the 'Manipur University Act, 2005 (No. 54 of 2005)' {'MU Act' for the sake of brevity}. As regards Ordinance, learned senior counsel submitted that it appears to be an Ordinance made vide Ordinance making power traceable to Section 31(1) of MU Act but he also submitted that it is necessary for his instructing counsel to get further instructions before he advances arguments in this regard.

[9] As the Rule making power qua executive council of Manipur University for making CRR itself needs to be examined, it is a case of examining the very substratum i.e., the very foundation of the recruitment edifice.

[10] As regards the interim prayer in the captioned MC, though writ petitioners have sought for a prayer to withhold declaration of results pursuant to afore-referred 13.05.2025 advertisement, as we are informed that results have been published and uploaded in website day before yesterday (23.02.2026), we resort to second limb of the interim prayer which is residuary limb which seeks 'any other order'.

[11] Learned senior counsel on instructions from instructing counsel who in turn has got instructions from the Registrar of Manipur University submitted that though results have been published, no appointment orders have been issued. To be noted, it was initially submitted (on instructions from Registrar) that all candidates have been given appointment orders and have even joined but when passed over and called upon to produce files on instructions from Registrar it was submitted that no appointment orders have been issued. Learned senior counsel very fairly expressed regret in this regard.

[12] The narrative thus far makes it clear that prima facie case has been made out qua campaign against CRR, balance of convenience is in favour of staying issue of appointment orders as it can create third party rights and also put in peril the exercise leading to possible irreparable legal injury. As all parameters for grant of interim order namely prima facie case, balance of convenience and irreparable legal injury have been made out, there shall be an order of interim stay staying issue of appointment orders to candidates who have been declared successful or to any other person/s and all further proceedings pursuant to advertisement No. 2/2025, dated 13.05.2025 shall be remain stayed/be kept in abeyance. (To be noted, as it is not a case of any alleged illegality qua writ petitioners and it is a case of challenge to CRR itself we are not limiting interim order to keeping one post vacant.) This interim stay will operate till next listing. To be noted, Mr. Anjan Prasad Sahu sought listing immediately after Yaoshang vacation for getting instructions for enabling learned senior counsel to address this Court.
[13] List on 10.03.2026."

[14] Manipur University filed affidavit-in-opposition (counter affidavit) dated 23.03.2026. In para 3 of the affidavit of Manipur University, the issue of maintainability of the writ petition filed by the petitioners in the present form has been elaborately raised. The 'first ground on the maintainability' is that the petitioners have made a prayer to declare Cadre Recruitment Rules of non-teaching posts 2024 of Manipur University as illegal and void, as the same is without the Visitor's approval and to quash and set aside all the consequent recruitment rules advertisement including short-listing and tests. It is alleged by the petitioners that the CRRs 2024 has been sent by the Registrar of Manipur University vide letter dated 16.01.2025 to the Ministry of Education for approval. It is submitted by Mr. Kh. Tarunkumar, learned senior counsel appearing on behalf of Manipur University that the letter dated 16.012025 is correct. However, the annexures, i.e. CRRs of non-teaching posts 2024 of Manipur University is disputed, as the same does not exist in the office

file of Manipur University. In other words, it is stated that Manipur University does not have any such document as alleged by the petitioners as CRRs 2024, which appears to be forged and manufactured by the petitioners for sabotaging the recruitment process. It is further submitted that CRR 2024 is not a document submitted by MU to the Ministry along with letter dated 16.01.2025. 'Second ground' for challenge to the non-maintainability of the writ petition is that both the petitioners have applied for the recruitment and one of them even faced the selection process but could not succeed. It is reiterated that Manipur University Cadre Recruitment Rules of non-teaching posts 2024 was never placed before the Executive Council of Manipur University in its 40th Meeting held on 30.12.2022 and CRR 2024 was never approved by the Executive Council on that day, the same has no existence. In fact, it is explained in the 40th Meeting of the Executive Council of MU held on 30.12.2024, the corrected Cadre Recruitment Rules of Non-teaching and other academic posts, 2022 was placed before the Executive Council after deliberate discussion and the same was approved and every page of the said corrected CRRs of non-teaching posts and academic posts, 2022 was authenticated and signed by the Registrar of Manipur University and the same was sent to the Ministry. The corrected CRRs 2022 has been annexed with the counter affidavit as Annexure-C/1. Annexure-C/1 is the same letter dated 16.01.2025 sent by the Registrar, Manipur University to the Ministry of Education (Annexure-A/12 of the writ petition), but the enclosures are different.

[15] Mr. Kh. Tarunkumar, learned senior counsel for Manipur University, has pointed out that except for the front page of the letter dated 16.01.2025 of the Annexure-A/12 of the writ petition and Annexure-C/1 of counter affidavit of Manipur University, the enclosures are different. In the annexure filed by Manipur University, all the pages of the Annexures-A/I, II, III & IV annexed with the letter dated 16.01.2024 have been counter-

signed by the Registrar; whereas every page where the CRRs 2024 annexed in the writ petition is only a computer print out without any authentication and so called proceedings of the 36th Meeting of the Executive Council of Manipur University held on 06.0.2022 and the proceedings of the 40th Meeting of the Executive Council held on 30.12.2024 are not authenticated and unsigned copies. It is stated that the documents annexed by the writ petitioners are not the authenticated copies or perhaps fabricated one in order to derail the whole recruitment process. On the basis of the documents which genuineness are doubtful, the petitioners got interim order of staying issuance of appointment letter to the successful candidates as recorded in the order dated 25.02.2026. On merit, the stand of the University is that the CRRs 2024 allegedly sent by the University as enclosure to letter dated 16.01.2025 to the Ministry of Education does not exist in Manipur University. The recruitment has been conducted on the basis of modified CRRs 2022. It is submitted that in terms of Statute 41(6) of MU Act, every Ordinance made by the Executive Council shall come into effect immediately and hence the advertisement No. 2/2025 dated 13.05.2025 for recruitment of non-teaching staff does not suffer any illegality. The petitioners are not aggrieved parties as there is no illegality in the recruitment process conducted by Manipur University in terms of advertisement dated 13.05.2025 for filling up of 78 posts of Group B and C and hence they have no locus to file the present writ petition. It is also pointed out that the Model Cadre Recruitment Rules which was recommended by the UGC has been approved and adopted by the Executive Council of Manipur University in its 36th Meeting held on 06.10.2022 and shall become a part of Ordinance and came into effect immediately in view of the Statute 41(5) of Manipur University Act.

[16] Learned senior counsel for Manipur University further draws the attention of this Court to the provisions of Section 23(1) of Manipur

University Act which says that the Executive Council shall be the principal executive body of the University. In view of Statute 41(5) of Manipur University, every Ordinance made by the Executive Council came to effect immediately and MCRRs which was recommended by the UGC vide letter dated 27.09.2022 (Annexure-A/6 colly to the writ petition) has been adopted by the Executive Council and the same has become a part of the Ordinance and effected immediately; and question of approval of the Ministry of Education does not arise. It is clarified that Statute 41(5) will override the last sub-para of the letter dated 01.11.2022 written by Manipur University (Annexure-A/8 of the writ petition) to the Ministry of Education requesting for approval of the enclosed CRRs, was inadvertently written through oversight by the then Registrar. Learned senior counsel has further stated that there is no provision in Manipur University Act that every Statute and Ordinance made by the Executive Council shall be assented/approved by the Visitor before it comes into effect. It is mentioned in para 11 of the counter affidavit that due to bonafide mistake, the Under Secretary, Ministry of Education, Department of Higher Education, Government of India sent a letter dated 25.05.2023 to the Registrar, Manipur University informing not to advertise/fill up of any posts in non-teaching posts until and unless CRRs of non-teaching posts as a part of the Ordinance, are approved by the competent authority. It is clarified that the Model CRRs forwarded by UGC vide letter dated 27.09.2022 was placed before the Executive Council of Manipur University in its 36th Meeting held on 06.10.2022 and the same was adopted/approved and hence become enforceable. It is submitted that there is no illegality in the advertisement dated 13.05.2025 for recruitment of 78 posts of non-teaching Group B & C post. It is also stated that the corrected and rationalized CRRs 2022 was adopted/approved by the 40th Meeting of the Executive Council held on 30.12.2024. It is the case of Manipur University that the Model CRRs

forwarded by the UGC vide its letter dated 27.09.2022 and corrected CRRs 2022 have already been approved by the Executive Council of Manipur University in its 36th and 40th Meetings and the same become enforceable in terms of Manipur University Act, Statute and Ordinance and there is no illegality in the advertisement dated 13.05.2025. During the course of proceeding, learned senior counsel for Manipur University handovers a notification dated 18.03.2025 which is publication of rules for regulating recruitment of non-teaching and staff in Manipur University under Ordinance No. D-14 which is Manipur University Model CRRs non-teaching and academic staff 2025.

[17] The petitioners filed rejoinder affidavit to the affidavit-in-opposition filed by respondent No. 1/Manipur University on 06.04.2026. In the rejoinder affidavit, the petitioners reiterated almost all the contentions made in the writ petition. However, it is clarified that the SAMARTH Portal could not be accessed by the petitioners. It is stated that the amended Ordinance (D-14) approved on 30.12.2024 in its 40th Executive Council Meeting submitted on 14.10.2025 in the SAMARTH Portal, can be duly verified by this Court. The portal is accessible by Manipur University and the Ministry of Education only. It is stated that Ordinance (D-14) which is claimed to be based on Cadre Recruitment Rules 2022 and 2024 is not available in the public domain and the same has neither been uploaded in the official website nor been published in the Gazette of India, nor was placed before Parliament as required by law; and in absence of proper publication and statutory compliance, the Ordinance cannot be said to have any legal existence or enforceability. Consequently, even assuming its existence, the same is liable to be treated as void and non est in the eyes of law.

[18] It may be noted at the bar both learned counsel for the petitioners as well as respondents admitted that CRRs 2022, Modified

CRRs 2022 and so called CRRs 2024 have not got the asset of the Visitor (Hon'ble President of India).

[19] On 06.05.2026, Mr. S. Jasobanta, learned counsel for respondent No. 3 (UGC) made an endorsement that he would neither be filing affidavit-in-opposition nor any document/annexures and the endorsement made by him was recorded in the order itself. Likewise, Mr. S. Vijayanand Sharma, learned Sr. PCCG appearing on behalf of respondent No. 2, i.e. Ministry of Education, Government of India, also made the same endorsement that respondent No. 2 would not file any affidavit-in-opposition or document.

[20] During the pendency of the writ petition, 30 (Thirty) of successful candidates, who were awaiting appointment orders, but could not get any appointment orders due to the interim order dated 25.02.2026 passed by this Court (staying issuance of appointment letter), filed MC(WP(C)) No. 394 of 2026 for impleading them as respondent Nos. 4 to 33 in the writ petition. Similarly, five of the successful candidates also filed an application being MC(WP(C)) No. 395 of 2026 for impleading them as respondent Nos. 4 to 8 in the writ petition. On 25.05.2026, these applications were taken up along with the main petition. Mr. HS. Paonam, learned senior counsel assisted by Ms. Harichhaya, learned counsel for the applicants appeared in MC(WP(C)) No. 394 of 2026 and Mr. A. Mohendro, learned counsel for the applicants in MC(WP(C)) No. 395 of 2026; and with the consent of the learned counsel for the applicants as well as writ petitioners and official respondents, the applications were disposed of; and the applicants are treated as "Intervenors" without impleading them as respondents as prayed for in the main writ petition; and it was recorded that MC applicants would have audience before this Court; and they would be described as "Intervenors" in the cause title.

[21] On 26.05.2026 in the midst of hearing, learned senior counsel for Manipur University sought some time to get instruction regarding appointment as Peon/Multi-Tasking Staff (Janitor, Chowkidar, Ward Boy/Mess Helper, Gardener, Conductor cum Cleaner, Sweeper) either by creating a supernumerary post or as against an existing vacancy which has arisen owing to superannuation, post commencement of recruitment to petitioner No. 1 (Wangkhem Ranjan) alone, as petitioner No. 2 (Sukham Bidyananda) did not appear the examination. This Court observed that after three months of publication of the result, none approached this Court for cancellation of the advertisement except for the two writ petitioners. In case the University comes up with the proposal for appointment petitioner No. 1, the Court will consider giving a closure of the writ petition leaving the legal question open, if the same issue arises in any other recruitment, other than advertisement No. 2/2025 dated 13.05.2025. Mr. K. Kishan Singh, learned counsel for the writ petitioners, also agreed to the above proposal/possibility. Learned senior counsel and counsel appearing for the intervenors also agreed for such closure, if that so happened. This Court has also noted the right and interest of all the parties before this Court, the submissions of the University that there are 3000 (Three thousand) applicants qua advertisement. Accordingly, the matter was posted on 01.06.2026 under the caption part heard for further hearing or closure. The order dated 26.05.2026 is reproduced as:

> "**26.05.2026**
>
> *[1] Read this in conjunction with and in continuation of earlier proceedings made in the previous listings more particularly, the proceedings made in the listing on 25.02.2026.*
>
> *[2] Today, Mr. Keisham Kishan Singh, learned counsel on record for writ petitioners; Mr. Anjan Prasad Sahu along with Mr. M. Rustam, learned counsel on record for respondent No. 1 led by senior advocates Mr. BP Sahu and Mr. Kh.*

Tarunkumar respectively; Mr. S. Vijayanand Sharma, learned Sr. PCCG (Senior Panel Counsel for Central Government) on record for respondent No. 2; Mr. S. Jasobanta, learned counsel on record for respondent No.3 and Mr. H.S. Paonam, learned senior counsel instructed by Ms. Ksh. Harichhaya and Mr. A. Mohendro along with Mr. Kh. Lupenjit and Mr. David Boon, learned counsel on record for intervenors are before this Court (physical Court).

[3] *After some more arguments and submissions, Mr. Anjan Prasad Sahu and Mr. M. Rustam led by senior advocates Mr. BP Sahu and Mr. Kh. Tarunkumar respectively sought time to get instructions regarding giving appointment as Peon/Multi-Tasking Staff (Janitor, Chowkidar, Ward Boy/Mess Helper, Gardener, Conductor cum Cleaner, Sweeper) either by creating a supernumerary post or as against an existing vacancy which has arisen owing to superannuation, post commencement of recruitment exercise which is subject matter of the legal drill at hand.*

[4] To be noted, the above (giving appointment) is only with regard to writ petitioner No.1 (Mr. Wangkhem Ranjan, S/o Wangkhem Binoy Singh, aged about 25 years, a resident of Ningomthong Sairom Leirak, P.O. Singjamei, P.S. Singjamei, Imphal West District, Manipur - 795008) as the second writ petitioner (Mr. Sukham Bidyananda, aged about 35 years, S/o Sukham Kumar Singh, a resident of Bashikhong Torban Leikai, P.O. Singjamei, P.S. Irilbung, Imphal East District, Manipur - 795008) did not take the examination.

[5] Be that as it may, the Advertisement for recruitment to 78 (seventy-eight) posts including 35 (thirty-five) posts of Peon/Multi-Tasking Staff (Janitor, Chowkidar, Ward Boy/Mess Helper, Gardener, Conductor cum Cleaner, Sweeper) was issued on 13.03.2025 (Advertisement No. 2/2025) more than 1 (one) year ago. The recruitment process culminated in publication/uploading of results in the official website of Manipur University on 23.02.2026. To be noted, this is captured in our afore referred 25.02.2026 proceedings and all counsel and senior counsel before this Court submit in one voice/in unison that all facts, dates and events have been correctly captured in the 25.02.2026 proceeding and the same can be the base document.

[6] Even before the publication/uploading of results in the official website on 23.02.2026, the two writ petitioners have presented the captioned writ petition in this Court on 19.02.2026 inter-alia assailing the CRR (Cadre Recruitment Rules of Non-Teaching Posts, 2024). Though the results were published and uploaded in the official website on 23.02.2026 (Monday) in the last 13 (thirteen) weeks (more than 3 months) no applicant other than the 2 (two) writ petitioners has chosen to come before this Court. Therefore, if the University comes up with the proposal of appointing writ petitioner No. 1 alone either by creating a supernumerary post or as against a post that fell vacant owing to superannuation post commencement of the recruitment process, such a benefit would not enure to any other applicant if he or she approaches this court now.

[7] This Court is of the view that 13 (thirteen) weeks post publication of results (more than 3 months) is long enough for any applicant. If the University comes up with this proposal of appointing writ petitioner No. 1 on Monday (01.06.2026), this Court will consider giving a closure to the captioned writ petition leaving open the legal questions if the same arises in any other recruitment other than Advertisement No. 2 of 2025 dated 13.05.2025.

[8] To be noted, Mr. Keisham Kishan Singh, learned counsel for writ petitioners agreed to the above said proposal/possibility. This submission is recorded.

[9] As regards the selectees who are being heard as intervenors in captioned matter, Mr. HS Paonam, learned senior advocate instructed by Ms. Ksh. Harichhaya and Mr. A. Mohendro along with Mr. Kh. Lupenjit and Mr. David Boon submitted that they have no say in afore referred proposal/possibility and they also agreed for such a closure, if that is to happen.

[10] In making this proceedings, besides taking into account the trajectory the matter has taken thus far, we have also considered balancing the rights and interests of all the parties before this Court and also noticed the submission of University counsel that there are nearly 3,000 (three thousand) applicants qua Advertisement No. 2 of 2025 dated 13.05.2025.

[11] Interim order already granted on 25.02.2026, extended from time to time and now operating is further extended and the same shall continue till next listing.

[12] List under the cause list caption 'PART HEARD-FOR FURTHER HEARING OR CLOSURE' before this Bench on 01.06.2026 as it is a part heard matter."

[22] When the matter was taken up on 01.06.2026, Mr. BP. Sahu and Mr. Kh. Tarunkumar, learned senior counsel for Manipur University, submitted that it would not be possible to accommodate petitioner No. 1 by creating a supernumerary post or as against any existing vacancy due to two reasons: (i) Post proceeding dated 26.05.2026, writ petitioner No. 2 (Sukham Bidyananda) submitted right to information application on 29.05.2026 making six queries, inter-alia, questioning the authority of Manipur University to create and appoint any individual to supernumerary non-teaching post after final result of the recruitment examination has been declared and to furnish details of the merit list and marks obtained by selected candidates in the recruitment and other details; and (ii) Nine unsuccessful candidates have also submitted representations all dated 29.09.2025 for appointment against appropriate posts on the basis of submissions of counsel for Manipur University for accommodating one of the petitioners against MTS seat against vacancy available or as supernumerary. In the circumstances, it is submitted that it would not be possible to give a closure to the writ petition by accommodating writ petitioner No. 1 either by creating supernumerary post or against any existing vacancy. It is further submitted that the matter may be heard on merit; first by deciding the question of maintainability raised by Manipur University. Learned senior counsel for Manipur University sought for some time to file affidavit with annexures bringing on record the applications submitted by nine unsuccessful candidates and RTI application submitted by the writ petitioner No. 2 on record. Thereafter, Manipur University filed affidavit dated 03.06.2026 bringing on record the

nine applications submitted by the unsuccessful candidates for appointment against appropriate posts in terms of the submissions made by the learned senior counsel for Manipur University and RTI application of petitioner No. 2. The proceeding dated 01.06.2026 is reproduced as:

> "**01.06.2026:**
>
> [1] Read this in conjunction with and in continuation of earlier proceedings made in the previous listing, more particularly proceedings made in the immediate preceding proceedings dated 26.05.2026 which reads as follows:
>
> > ***26.05.2026***
> >
> > *[1] Read this in conjunction with and in continuation of earlier proceedings made in the previous listings more particularly, the proceedings made in the listing on 25.02.2026.*
> >
> > *……..*
> >
> > *…….*
> >
> > *[12] List under the cause list caption 'PART HEARD-FOR FURTHER HEARING OR CLOSURE' before this Bench on 01.06.2026 as it is a part* heard matter.'
>
> [2] In the hearing today, Mr. Keisham Kishan, learned counsel on record for writ petitioners; Mr. Anjan Prasad Sahu along with Mr. M. Rustam, learned counsel on record for respondent No. 1 led by senior advocates Mr. BP Sahu and Mr. Kh. Tarunkumar respectively; Mr. S. Vijayanand Sharma, learned Sr. PCCG (Senior Panel Counsel for Central Government) on record for respondent No. 2; Mr. S. Jasobanta, learned counsel on record for respondent No.3 and Mr. H.S. Paonam, learned senior counsel instructed by Ms. Ksh. Harichhaya and Mr. A. Mohendro along with Mr. David Boon, learned counsel on record for intervenors are before this Court (physical Court).
>
> [3] Adverting to afore-referred earlier proceedings dated 26.05.2026, Mr. BP Sahu and Mr. Kh. Tarunkumar, learned senior counsel appearing on behalf of learned

counsel on record for Manipur University (respondent No. 1, 'R – 1' for the sake of brevity) submitted in one voice, on instructions that it is not possible to accommodate writ petitioner No. 1 either by creating a supernumerary post or against any existing vacancy.

[4] Mr. BP Sahu, learned senior counsel submitted that one of the reasons for inability to accommodate is, writ petitioner No. 2, after earlier proceedings dated 26.05.2026, has sent a 'Right to Information' ('RTI' for the sake of convenience) query on 29.05.2026 inter-alia making a query regarding the provision/powers of Manipur University (R-1) to create a supernumerary post. To be noted, this is not the only reason but one of the reasons is learned senior counsel's say.

[5] The above scenario puts an end to examining the possibility of giving a closure to the captioned matter by accommodating writ petitioner No. 1 either by creating a supernumerary post or against any existing vacancy. This means that captioned writ petition is to be heard out. In this regard, learned senior for Manipur University submitted that maintainability issue has been raised and that has to be decided first.

[6] Be that as it may, learned senior counsel for Manipur University (R-1) sought time to file documents, more particularly developments post 26.05.2026 under a suitable affidavit and bring it on record. Learned counsel on record and learned senior counsel for Manipur University (R-1) submitted that they want to continue arguments after instructing counsel files such an affidavit with Annexures and bring the same on Board.

[7] Learned counsel for Manipur University (R-1) sought a couple of days time to complete the above exercise of filing affidavit/annexures and bringing the same on Board.

[8] In the light of narration thus far, let the captioned matter stand over to Friday i.e., 05.06.2026. Let Registry list the captioned matter under the cause list caption i.e., 'PART HEARD FOR FURTHER HEARING'.

[9] Interim order already granted on 25.02.2026, extended from time to time and now operating, is further extended and the same will continue till next listing.

[10] List on 05.06.2026."

[23] Before proceeding further it may be noted that on 26.05.2026, SAMARTH Portal was opened in a neutral device, i.e., Laptop of this Court and the same was operated by the official representative of Manipur University in open Court. Petitioner No. 2 who was present in physical Court perused the SAMARTH Portal along with Mr. K. Kishan Singh, learned counsel for the petitioners; all the senior counsel and counsel for the official respondents and intervenors also perused the SAMARTH Portal opened in the Laptop of this Court. In the portal, the first amendment in terms of the resolution No. 14/40/30.12.2024 of 40th Meeting of the Executive Council of Manipur University held on 30.12.2024 was submitted and adoption/approval of the Executive Council to the corrected Model CRRs for non-teaching position of Manipur University was uploaded on 14.10.2025 at 10:29:29 Hrs. This Court has also the benefit of perusing SAMARTH Portal. In the portal, this Court found three queries from the Ministry of Education, Government of India regarding the corrected CRRs. It is admitted fact that both CRRs 2022 and corrected CRRs 2022 of Manipur University have not got assent from the Visitor, i.e., Hon'ble Present of India till date. CRRs 2024, which is the basis of challenge of the recruitment in the present writ petition, is also not found in SAMARTH Portal. It is the specific plea of Mr. K. Kishan Singh, learned counsel for the petitioners that he got a copy of CRRs 2024 from some officials of Manipur University. As urged by the learned senior counsel for Manipur University, especially Mr. Kh. Tarunkumar that before proceeding to the merit, the question of maintainability of the writ petition has to be decided first, this Court proposes to deal with the issue of maintainability at the outset.

PLEA OF MANIPUR UNIVERSITY ON MAINTAINABILITY:

[24] It is the focal point of submission of Mr. Kh. Tarunkumar, learned senior counsel for Manipur University that CRRs 2024 does not exist in the SAMARTH Portal and what is uploaded in the SAMARTH Portal is corrected CRRs 2022. In 36th Meeting of the Executive Council of Manipur University held on 06.10.2022 adopting Model CRRs forwarded by the UGC in its letter dated 27.09.2022; 40th Meeting of the Executive Council held on 30.12.2024 adopting modified CRRs; and advertisement No. 2/2025 dated 13.05.2025, it is not specifically mentioned that CRR concerned is CRRs 2022. However, it has been clarified in the affidavit-in-opposition of MU that CRRs mentioned in all those resolutions and documents are CRRs 2022; and corrected CRRs 2022 has been uploaded in the SAMARTH Portal. The writ petition of challenging the validity of CRRs 2024 on the ground of not obtaining assent from the Visitor as well as the consequent recruitment process through advertisement No. 2/2025 dated 13.05.2025 purportedly on the basis of CRRs 2024, is not maintainable in the present form. In other words, learned senior counsel for Manipur University submits that there is no cause in the writ petition as CRRs 2024 which is the core foundation of the writ petition, is a non-existent document and the writ petition is liable to be dismissed and automatically collapsed; and the same is bound to be dismissed on this ground alone. The second point of maintainability is that petitioner No. 1 having applied, appeared and unsuccessful in the first round of the examination cannot question the ongoing recruitment process before its completion; he cannot blow hot and cold at the same time; and principle of approbate and reprobate will be attracted in the present case. Learned senior counsel has pointed out that the final result of the examination was declared only on 23.02.2026. However, writ petition was filed on 19.02.2025. A candidate having applied and participated in the recruitment process cannot challenge the same unless

patent illegality affecting his right is made out. The only plea of the petitioners is that the Visitor (Hon'ble President of India) has not granted assent to the CRRs in terms of Statute 41(6) of the Manipur University Act, 2005 and as directed vide letter dated 27.09.2022 of the UGC informing all Central Universities in this regard. With regard to petitioner No. 2 having applied and not appeared in the examination, he also cannot challenge the recruitment process on the ground of his pre-conceive apprehension of setting aside the recruitment process due to absence of assent from the Visitor. It is submitted that the petitioners, especially petitioner No. 2 are not aggrieved party, as none of their rights has been affected and the writ especially in the nature of certiorari would not lie at the hand of a person who is not aggrieved by any act of the University. In short, it is submitted that the petitioners are strangers and they do not have any locus. The third point is that in the writ petition, the petitioners do not disclose all the facts including how they got CRRs 2024, the very foundation of the writ petition annexed as a part of annexure (Annexure-A/4 colly). In the writ petition, the manner of infraction of the rights of the petitioners have not been explained. Both the writ petitioners have conflicting interest. Petitioner No. 1 applied and appeared and petitioner No. 2 applied and did not appear. Petitioner No. 1 who is an unsuccessful candidate cannot challenge the recruitment in absence of any act of patent illegality affecting his right and petitioner No. 2 being a candidate who did not appear in the examination, cannot challenge the recruitment, being a stranger. The second prayer for declaration of CRRs 2024 as void does not survive, as in the SAMARTH Portal only CRRs 2022 is uploaded and there is no trace of CRRs 2024.

[25] Mr. Kh. Tarunkumar, learned senior counsel for Manipur University, refers to the decisions of Hon'ble Supreme Court to the following case laws to advance his argument:

"1. **Securities & Exchange Board of India vs. Mangalore Stock Exchange: (2005) 10 SCC 274** where a two Judge Bench of Hon'ble Supreme Court held that the issue of maintainability of appeal before the Securities Appellate Tribunal has to be decided first before passing any further order as the issue of maintainability of the appeal has been raised specifically before the Tribunal and the Tribunal passed an interim order without determining the question of maintainability of the appeal as raised by the other side.

2. **Union of India & Ors. Vs. Ranbir Singh Rathaur & Ors.: (2006) 11 SCC 696 at para 42** that in this case, the maintainability of the fresh writ petition on the principle of res judicata as earlier writ petitions before the High Court and special leave petition before the Hon'ble Supreme Court have already been dismissed. Without deciding the question of maintainability as raised, the High Court proceeded to hear the matter on merit. In the earlier proceeding, the High Court recorded the question of maintainability would be considered first. However, the High Court heard the matter on merit and reserved for order and passed final judgement after three years. The Hon'ble Supreme Court was of the view that the High Court shall first decide the preliminary objections raised by the appellants about the non-maintainability of the writ petitions and remit the matter to the High Court for fresh hearing.

3. **Prestige Lights Ltd. vs. State Bank of India: (2007) 8 SCC 449:** While approaching the High Court under Article 226 of the Constitution, the petitioner did not disclose all the facts to the Court. It has been observed by a three Judges of Hon'ble Supreme Court that if there is a suppression of material facts on the part of the applicant or twisted fact has been placed before the Court, the Writ Court may refused to entertain the writ petition and dismiss it without entering into the merit.

Mr. Kh. Tarunkumar, learned senior counsel for Manipur University, submits that the present writ petition is not maintainable due

to non-disclosure of the complete facts, especially about the source of non-existent CRRs 2024 in the petition.

4. ***Uday Shankar Triyar vs. Ram Kalewar Prasad Singh & Anr.: (2006) 1 SCC 75 para 17:*** *Non-compliance of curable defects should not entail automatic dismissal or rejection unless the relevant Statute or Rule so mandate. However, in para 17 of the order well-recognised exceptions to this principle are enumerated:*

   (i) where the statute prescribing the procedure, also prescribes specifically the consequence of non-compliance;

   (ii) where the procedural defect is not rectified, even after it is pointed out and due opportunity is given for rectifying it;

   (iii) where the non-compliance or violation is proved to be deliberate or mischievous;

   (iv) where the rectification of defect would affect the case on merits or will affect the jurisdiction of the court;

   (v) in case of memorandum of appeal, there is complete absence of authority and the appeal is presented without the knowledge, consent and authority of the appellant.

It is submitted that the notification dated 18.03.2205 notifying CRRs 2025 for adoption of the Ordinance D-14 ought not to be a void document as CRRs 2025 is mentioned in place of corrected CRRs 2022 and mentioning of Section 30 in place of Section 31(p). It is urged that such innocuous mistakes are curable and do not affect the validity of CRRs 2022

6. **Ayaaubkhan Noorkhan Pathan vs. State of Maharastra & Ors.: (2013) 4 SCC 465** para 17, to the point that a person who raises a grievance, must show how he has suffered legal injury. Generally, a stranger having no right whatsoever to any post or property cannot be permitted to intervene in the affairs of others.

[26] Mr. Kh. Tarunkumar, learned senior counsel for Manipur University, submits that the petitioners have failed to show how they have suffered any legal injury. It is urged that the writ petition is not maintainable in the present form for the reasons cited supra.

[27] Mr. BP. Sahu, learned senior counsel for Manipur University, adopts the submissions and case laws cited by Mr. Kh. Tarunkumar who is also appearing on behalf of Manipur University. However, he further refers to the decision of the Hon'ble Supreme Court in the case of **Manish Kumar Shahi vs. State of Bihar & Ors.: (2010) 12 SCC 576** para 16 to the point that having participate in the selection process fully knowing that more than 19% marks have been earmarked for viva voce test, the petitioner cannot challenge the selection criteria or process of selection. The petitioner invoked the writ jurisdiction of the High Court under Article 226 of the Constitution only after he found that his name did not figure in the merit list prepared by the Commission and this conduct of the petitioner clearly disentitles him from questioning the selection.

[28] Both the learned senior counsel for Manipur University have projected that the petitioners are proxy candidates. With regard to petitioner No. 2, it is pointed out that his wife participated in the recruitment test and she crossed first round but failed in the second round. This fact has been concealed.

[29] Mr. S. Vijayanand Sharma, learned Sr. PCCG for the Central Government and Mr. S. Jasobanta, learned counsel for the UGC, adopt the submissions of learned senior counsel for Manipur University on the question of maintainability.

PLEA OF INTERVENORS ON MAINTAINABILITY:

[30] Mr. HS. Paonam, learned senior counsel for 30 intervenors, submits that the petitioners are the proxy petitioners and they are fighting on behalf of the others and writ petition is just a harassment to the genuine candidates who have nothing to do with the publication or non-publication of CRR or obtaining assent from the competent authority. The writ petition on the basis of disputed fact, such as existence of CRRs 2024, is not maintainable. In the counter affidavit of Manipur University, it has been clearly stated that the advertisement No. 2/2025 dated 13.05.2025 was issued on the basis of CRRs 2022 and hence the same has demolished the very edifice on the writ petition based on CRRs 2024. The writ petition, which is not based on true facts (as disclosed in the counter affidavit of Manipur University), has to be rejected summarily and it amounts to wastage of valuable time of this Court. Learned senior counsel for the intervenors has also submitted that the wife of the petitioner No. 2 participated and is not successful in the recruitment test. It is urged that even if assuming that writ petition is maintainable, the same is not entertainable.

[31] Mr. A. Mohendro, learned counsel for 5 more intervenors who are successful candidates, submits that the writ petition is not maintainable in the present form, as there is no averment against CRRs 2022; and CRRs 2024 which is the very foundation of the writ petition, is not in existence as stated in the counter affidavit of Manipur University and as also seen by this Court from the SAMARTH Portal. Learned counsel further submits that both facts and law do not support the case of the petitioners. No lacuna or allegation is made against the successful candidates and he prays that this Court may protect the rights of the successful candidates. Learned counsel refers to a decision in the case of **Atlas Cycle Industries Ltd. & Ors. Vs. The State of Haryana: (1979)**

2 SCC to the point that failure to place the said subordinate legislation before the Parliament does not affect the legality of the subordinate legislation.

PLEA OF PETITIONERS ON MAINTAINABILITY:

[32] On the question of maintainability, Mr. K. Kishan Singh, learned counsel for the petitioners, submits that as a counsel, he has not instruction about the participation of the wife of petitioner No. 2 in the recruitment examination; but he has been instructed for the fact that petitioner No. 1 applied, appeared and is not successful in the recruitment and petitioner No. 2 applied and did not appeared in the examination. Learned counsel for the petitioners clarifies that CRRs 2024 is not fabricated document and the same has been procured from Manipur University; perhaps CRRs 2024 might be deleted by the University after filing of the writ petition in order to frustrate the cause of the present writ petition. Whether CRRs 2024 has been deleted from the SAMARTH Portal can only be verified on the examination of the cyber expert in this regard. It is submitted that all the resolutions of the Executive Council of Manipur University, especially proceedings of the 36th Meeting held on 06.10.2022 and 40th Meeting held on 30.12.2024 did not specifically mention about CRRs 2022; in fact, these resolutions only mentioned CRRs simply without any prefix or suffix of year. It is highlighted that CRRs 2022 is mentioned for first time in the counter affidavit and advertisement has been issued in terms of CRRs 2022. Both the resolutions (30th & 40th) and advertisement do not mention CRRs 2022.

[33] Mr. K. Kishan Singh, learned counsel for the petitioners emphasizes to the point that the advertisement No. 2/2025 dated 13.05.2025 also did not mention about CRRs 2022. It is only in the counter affidavit of the University which has explained for first time that advertisement has been issued under CRRs 2022. Learned counsel for

the petitioners invoke the doctrine of **Mohinder Singh Gill vs The Chief Election Commissioner, New Delhi AIR 1978 SC 851** at para 8 to emphasize that when a statutory functionary makes an order based on certain grounds, its validity must be judged by the reasons so mentioned and cannot be supplemented by fresh reasons in the shape of affidavit or clarification and the impugned order cannot be improved subsequently by way of affidavit or any clarification. Otherwise, an order bad in the beginning may, by the time it comes to court on account of a challenge, get validated by additional grounds later brought out. It is the case of the petitioners that the advertisement and all the approvals are in terms of CRRs 2024. Learned counsel for the petitioners has also pointed out that counsel for the University has admitted in the course of hearing that CRRs 2022 and/or corrected CRRs 2022 have not got assent from the Visitor (Hon'ble President of India), but it is stated that in view of the Statute 41(6) of the MU Act, CRRs 2022 and corrected CRRs 2022 have become effective from the date of notification. Learned counsel for the petitioners has pointed out that the submissions of the learned senior counsel for Manipur University is total fallacy in view of the specific provisions of Statute 41(6), (7) & (8) of Manipur University Act, 2005 that every Ordinance made by the Executive Council shall be submitted to the Visitor and assent of the Visitor is mandatory and also in terms of the instruction of the UGC in the letter dated 27.09.2022 and letter dated 25.03.2023 issued by the Ministry of Education to Manipur University requiring approval by Visitor of the draft recruitment rules. Learned counsel for the petitioners submit that due to all these infirmities, the writ petition is maintainable and this question requires detailed examination by this Hon'ble Court. He refers to a decision of Hon'ble Supreme Court in the case of **Rajendra Agricultural University vs. Ashok Kumar Prasad & Ors.: [2009] 15 (ADDL.) SCR 1168** para 16 to the point that publication in the official Gazette of a Statute made by the University is a mandatory

requirement and without the same being published, the Statute will not come into effect. Mr. K. Kishan Singh, learned counsel for the petitioners, further refers to the case of **Viraj Impex Pvt. Ltd. vs. Union of India: 2026 INSC 80** to the point that publication in the official Gazette is necessary for enforceability in notification issued under the Act.

POINTS FOR DETERMINATION

[34] This Court has considered the pleadings of the parties; submissions made at the bar and the following points of determination have been framed for adjudication.

(i) Whether the writ petition is maintainable and/or entertainable in the present form?; and

(ii) Whether the cause of action qua the writ petition based on Cadre Recruitment Rules for non-teaching staff 2024 survives as on date (i.e. on 26.05.2026 SAMARTH Portal was open in a neutral device before this Court) for the simple reason that CRRs 2024 was not found uploaded in the SAMARTH Portal and only modified CRRs 2022 has been uploaded by Manipur University?

[35] Before proceeding further, it may be useful to reproduce the relevant provisions of Manipur University Act, 2005, the Statute appended in the Schedule of the Act and the relevant extract of the letter from the University Grants Commission and the Ministry of Education, Government of India:

"Manipur University Act, 2005"

Section 9.

(1) The President of India shall be the Visitor of the University.

(2) The Visitor may, from time to time, appoint one or more persons to review the work and progress of the University, including Colleges and Institutions maintained by it, and to submit a report thereon; and upon receipt of that report, the Visitor may, after obtaining the views of the Executive Council thereon through the Vice-Chancellor, take such action and issue such directions as he considers necessary in respect of any of the matters dealt with in the report and the University shall be bound to comply with such directions.

(3) The Visitor shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, libraries, laboratories and equipment, and of any College or Institution maintained by the University or admitted to its privileges; and also of the examinations, teaching and other work conducted or done by the University and to cause an inquiry to be made in like manner in respect of any matter connected with the administration or finances of the University, Colleges or Institutions.

(4) The Visitor shall, in every matter referred to in sub-section (3), give notice of his intention to cause an inspection or inquiry to be made,-

(a) to the University, if such inspection or inquiry is to be made in respect of the University or any College or Institution maintained by it, or

(b) to the management of the College or Institution, if the inspection or inquiry is to be made in respect of College or Institution admitted to the privileges of the University, and the University or the management, as the case may be, shall have the right to make such representations to the Visitor, as it may consider necessary.

(5) After considering the representations, if any, made by the University or the management, as the case may be, the Visitor may cause to be

made such inspection or inquiry as is referred to in sub-section (3).

(6) Where any inspection or inquiry has been caused to be made by the Visitor, the University or the management shall be entitled to appoint a representative, who shall have the right to be present and be heard at such inspection or inquiry.

(7) *The Visitor may, if the inspection or inquiry is made in respect of the University or any College or Institution maintained by it, address the Vice-Chancellor with reference to the result of such inspection or inquiry together with such views and advice with regard to the action to be taken thereon, as the Visitor may be pleased to offer, and on receipt of address made by the Visitor, the Vice-Chancellor shall communicate, to the Executive Council, the views of the Visitor with such advice as the Visitor may offer upon the action to be taken thereon.*

(8) The Visitor may, if the inspection or inquiry is made in respect of any College or Institution admitted to the privileges of the University, address the management concerned through the Vice-Chancellor with reference to the result of such inspection or inquiry, his views thereon and such advice as he may be pleased to offer upon the action to be taken thereon.

(9) The Executive Council or the management, as the case may be, shall communicate, through the Vice-Chancellor to the Visitor such action, if any, as it proposes to take or has been taken upon the result of such inspection or inquiry.

(10) Where, the Executive Council or the management, does not, within a reasonable time, take action to the satisfaction of the Visitor, the Visitor may, after considering any explanation furnished or representation made by the Executive Council or the management, issue such directions as he may think fit and the

Executive Council or the management, as the case may be, shall comply with such directions.

(11) Without prejudice to the foregoing provisions of this section, the Visitor may, by order in writing, annul any proceeding of the University which is not in conformity with the Act, the Statutes or the Ordinances:

Provided that before making any such order, he shall call upon the Registrar to show cause why such an order should not be made, and, if any cause is shown within a reasonable time, he shall consider the same.

(12) The Visitor shall have such other powers as may be prescribed by the Statutes.

Section 23. *(The Executive Council)*

(1) The Executive Council shall be the principal executive body of the University.

(2) The constitution of the Executive Council, the term of office of its members and its powers and functions shall be prescribed by the Statutes.

Section 30. *(Statutes how to be made)*

(1) The first Statutes are those set out in the Schedule

(2) The Executive Council may, from time to time, make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (1):
Provided that the Executive Council shall not make, amend or repeal any Statutes affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes, and any opinion so expressed shall be considered by the Executive Council.

(3) Every new Statute or addition to the Statutes or any amendment or repeal of a Statute shall require the assent of the Visitor who may assent

thereto or withhold assent or remit to the Executive Council for re-consideration.

(4) A new Statute or a Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Visitor.

(5) Notwithstanding anything contained in the foregoing sub-sections, the Visitor may make new or additional Statutes or amend or repeal the Statutes referred to in sub-section (1), during the period of three years immediately after the commencement of this Act: Provided that the Visitor may, on the expiry of the said period of three years, make, within one year from the date of such expiry, such detailed Statutes as he may consider necessary and such detailed Statutes shall be laid before both Houses of Parliament.

(6) Notwithstanding anything contained in the foregoing sub-sections, the Visitor may direct the University to make provisions in the Statutes in respect of any matter specified by him and if the Executive Council is unable to implement such direction within sixty days of its receipt, the Visitor may, after considering the reasons, if any, communicated by the Executive Council for its inability to comply with such direction, make or amend the Statutes suitably.

Section 31. *(Power to make Ordinances)*

(1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:

(a) the admission of students to the University and their enrolment as such:

(b) the courses of study to be laid down for all degrees, diplomas and certificates of the University;

(c) the medium of instruction and examination;

(d) the award of degrees, diplomas, certificates and other academic distinctions, the qualifications for the same and the means to be taken relating to the granting and obtaining of the same;

(e) the fees to be charged for courses of study in the University and for admission to the examinations, degrees and diplomas of the University;

(f) the conditions for award of fellowships, scholarships, studentships, medals and prizes;

(g) the conduct of examinations, including the term of office and manner of appointment and the duties of examining bodies, examiners and moderators:

(h) the conditions of residence of the students of the University,

(i) the special arrangements, if any, which may be made for the residence, discipline and teaching of women students and the prescribing of special courses of studies for them;

(j) the establishment of Centres of Studies, Boards of Studies, Specialised Laboratories and other Committees;

(k) the manner of co-operation and collaboration with other Universities, institutions and other agencies including learned bodies or associations;

(l) the creation, composition and functions of any other body which is considered necessary for improving the academic life of the University;

(m) the institution of fellowships, scholarships, studentships, medals and prizes;

(n) the supervision of management of Colleges and Institutions admitted to the privileges of the University,

(0) the setting up of a machinery for redressal of grievances of employees; and

(p) all other matters which by this Act or the Statutes, are to be or may be, provided for by the Ordinances.

(2) The first Ordinances shall be made by the Vice-Chancellor with the previous approval of the Central Government and the Ordinances so made may be amended, repealed or added to at any time by the Executive Council in the manner prescribed by the Statutes:

Provided that till such time as the first Ordinances are not so made by the Vice-Chancellor, in respect of the matters that are to be provided for by the Ordinances under this Act and Statutes, the relevant provisions of the Statutes and the Ordinances of Manipur University in force immediately before the commencement of this Act shall be applicable insofar as they are not inconsistent with the provisions of this Act and the Statutes.

Section 46. *(Statutes, Ordinances and Regulations to be published in the Official Gazette and to be laid before Parliament.)*

(1) Every Statute, Ordinance or Regulation made under this Act shall be published in the Official Gazette.

(2) Every Statute, Ordinance or Regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the Statute,

Ordinance or Regulation or both Houses agree that the Statute, Ordinance or Regulation should not be made, the Statute, Ordinance or Regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Statute, Ordinance or Regulation.

(3) The power to make Statutes, Ordinances or Regulations shall include the power to give retrospective effect, from a date not earlier than the date of commencement of this Act, to the Statute, Ordinance or Regulations or any of them but no retrospective effect shall be given to any Statute, Ordinance or Regulation so as to prejudicially affect the interests of any person to whom such Statute, Ordinance or Regulation may be applicable.

Schedule (Statutes)

Statute 41. *(Ordinances, how made)*

(1) The first Ordinances made under sub-section (2) of section 31 may be amended, repealed or added to at any time by the Executive Council in the manner specified in the following sub-sections.

(2) No Ordinance in respect of the matters enumerated in sub-section (1) of section 31 shall be made by the Executive Council unless a draft of such Ordinance has been proposed by the Academic Council.

(3) The Executive Council shall not have power to amend any draft of any Ordinance proposed by the Academic Council under clause (2), but may reject the proposal or return the draft to the Academic Council for re-consideration, either in whole or in part, together with any amendment which the Executive Council may suggest

(4) Where the Executive Council has rejected or returned the draft of an Ordinance proposed by the Academic Council, the Academic Council may consider the question afresh and in case the original draft is reaffirmed by a majority of not less than two-thirds of the members present and voting and more than half the total number of members of the Academic Council, the draft may be sent back to the Executive Council which shall either adopt it or refer it to the Visitor whose decision shall be final.

(5) Every Ordinance made by the Executive Council shall come into effect immediately.

(6) Every Ordinance made by the Executive Council shall be submitted to the Visitor within two weeks from the date of its adoption.

(7) The Visitor shall have the power to direct the University to suspend the operation of any Ordinance.

(8) The Visitor shall inform the Executive Council about his objection to the Ordinance referred to in clause (7) and may, after receiving the comments of the University, either withdraw the order suspending the Ordinance or disallow the Ordinance, and his decision shall be final.

Letter dated 27.09.2022 from UGC para 4:

4. The Model Cadre Recruitment Rules as approved by the Commission are attached herewith for taking appropriate action, wherever the CRRs approved by their competent authority are not available. The Universities having CRRs approved by the competent authority, may continue with the recruitment processes for non-teaching positions as per their approved CRRs. Also, the dying cadre posts are not to be filled up.

Letter dated 01.11.2022 of Manipur University:

To

The Secretary
Ministry of Education

Department of Higher Education
Shastri Bhavan New Delhi-110115
Sub- Model Cadre Recruitment for Central Universities-reg.

Sir,

In inviting a reference to UGC letter No.F. No.7-1/2022 (JCRC) dated 27.00.2022 on the above subject, I am directed to inform you that the Executive Council of the University in its 36 meeting held on 06.10.2022 considered the UGC letter mentioned above and resolved as under-

"11/36/6.10.2022
Consideration of the Model Cadre Recruitment Rules (CRRs) for Central Universities

The Executive Council, after an in-depth discussion resolved that it is mandatory to adopt UGC Model Cadre Recruitment Rules forwarded vide their letter No.F.No. 7-1/2022 (JCRC) dated 27.09.2022 for implementation from the next recruitment for vacant positions to be advertised.

However, recruitment of the non-teaching posts already advertised and screening process had been completed be conducted according to the existing RRs of the University."

Under the above circumstances, I request you kindly to approve the enclosed Cadre Recruitment Rules (CRRS).

We are looking forward to hearing from you soon.

Yours faithfully

(Prof. W. Chandbabu Singh)
Registrar.

Letter dated 25.05.2023 of Ministry of Education, Government of India:

To
The Registrar,
Manipur University.
Canchipur: Imphal-795003,
Manipur.

Subject: Consideration of Model Cadre Recruitment Rules for the Non-Teaching Positions of the Manipur University, Imphal-regarding.

Sir.

I am directed to refer to your Letter No. MU/10-4/2021/687 dated 01.11.2022 on the above mentioned subject and to state that comments of UGC were sought in the matter.

2. UGC vide its letter No. 59-4/2013(CU) Vol.II dated 22.05.2023 (copy enclosed) has furnished its comments/suggestions, which are as under.-

(a) UGC vide its letter no. F.7-1/2022(JCRC) dated 27.09.2022 circulated the Model CRRs for non-teaching positions at Central Universities (CUs) to the Registrars of all CUs for taking appropriate action, wherever the CRRS approved by their competent authorities are not available. Furtherm the Recruitment Rules should be approved by Hon'ble Visitor and it should also be duly notified and uploaded on the website of the University.

(b) UGC issues a public notice no. 15.11.2022 in which it is clarified that since the posts of Library Cadre for Assistant Librarian and above are covered under the 'UGC (Minimum Qualifications for Appointment of Teachers and Other Academic staff in Universities and Colleges and other Measures for the Maintenance of Standards in Higher Education) Regulations, 2018', therefore, notwithstanding anything contained in the UGC Model CRRs for non-teaching posts, such posts of Library Cadre i.e. Assistant Librarian and above shall be regulated in accordance with the norms prescribed under aforesaid regulations. Similarly, the Cadre of Assistant Director of Physical Education and above is also a part of UGC Regulations, 2018, and hence, it should also be regulated in accordance with the norms prescribed under aforesaid regulations and should not be a part of the Ordinance relating to CRRS. Accordingly, while framing the CRR by the

University, the clause 19.5 and clause 2.9 may be modified.

(c) *In the CRR Preamble of Manipur University, the University has to write the appropriate authority whichever is applicable, i.e. Executive Council (EC) or Board of Management (BoM). Manipur University has mentioned both authorities i.e. EC/BoM. This may be clarified.*

(d) *As per clause 34.4 of the Model CRRs of CUs, it is clearly mentioned that these are the Model CRRs which have been prepared generally to cover all the posts sanctioned to different CUs and its constituent/affiliated college(s), as far as possible. The Universities shall accordingly adopt the CRR only for such posts which are sanctioned to them by the UGC. This Model CRRs does not entitle any University to create any post mentioned in the CRRs other than those sanctioned to them by UGC. They shall not create/demand any other post merely because such posts exist in the model CRRs.*

However, Manipur University has incorporated the Model CRRs as a part of the Ordinance which include those posts which are not available in the University system like Internal Audit Officer, Law Officer, Training & Placement Officer, Private Secretary, Executive Engineer, Assistant Engineer, Security Cadre, Guest House Manager etc. All CUs including Manipur University have to frame their CRRs as per the non-teaching posts available in the University. The University has to also indicate the number of sanctioned positions for each post by UGC/GoI under Column 2.

(e) *Further, UGC vide its letter no. F. 8-1/2014(CU) dated 18.10.2021 has also clarified to all CUs that the Universities may not advertise/fill up any of the non-teaching posts unless and until CRRs of the non-teaching posts as a part of the Ordinance are approved by the Competent Authority.*

4. University is, therefore, requested to take action on the suggestions/views of UGC on the above mentioned Ordinance and to send the proposal accordingly.

Yours faithfully,
(Vijay Kumar)
Under Secretary to the Government of India"

General Rules:

General Rules
"MANIPUR UNIVERSITY"
MODEL CADRE RECRUITMENT RULES
NON-TEACHING AND OTHER ACADEMIC POSTS 2022

The Executive Council of the "Manipur University", in exercise of the powers conferred under Section 30 of the University Act, Statutes of Second Schedule to the "Manipur University Act 2005, in supersession of all existing recruitment rules, relevant, Ordinances/University regulations of the Executive Council in this card hereby frames the following rules for regulating the recruitment to the Non-Teaching and Other Academic Posts in the University under Ordinance No.D-14(No. of Ordinance).

1. SHORT TITLE AND COMMENCEMENT:

1.1 These Rules shall be called Central University Non-teaching and Other Academic Posts Model Recruitment Rules 2022 of "Manipur University".

1.2 <u>These Rules shall come into force with effect from the date of issue of notification by the University.</u>

2. DEFINITION:

In these Rules, unless the context otherwise requires:

2.1 'Act' shall mean the "Manipur University Act 2005" as amended from time to time. 2.2 'Executive Council shall mean the Executive Council of "Manipur University".

2.3 'Appointing Authority' in relation to any post in the University shall imply the authority competent to make appointment to that post under the Act / Statute /Ordinances/CRRS/Regulations of the University as amended from time to time.

2.4 'Cadre' shall mean the strength of service or a part of service sanctioned as a separate unit.

2.5 Departmental Candidate' shall mean the employee working on regular basis in the "Manipur University"

against a substantive post in the University but does not include an employee working on ad-hoc, daily wage, contract, or temporary basis.

2.6 Direct Recruitment shall means the recruitment made other than by promotion, deputation or absorption.

2.7 'Government' shall mean the Government of India.

2.8 Non-Teaching Employee' shall mean an employee of the University other than the teachers of the University.

2.9 'Other Academic Staff shall mean the other academic staff as defined in the "UGC Regulations on Minimum Qualifications for Appointment of Teachers and Other Academic Staff in Universities and Colleges and Other Measures for the Maintenance of Standards in Higher Education, 2018' and as amended from time-to-time, which includes the cadres of Librarians, Directors of Physical Education and Sports.

2.10 'Regular Service' shall mean the service rendered by an employee in the cadre on regular basis and shall not include the service on contract/daily wage /temporary/ad-hoc basis.

……
……..

18.03.2025: (Notification of Ordinance D-14 by MU)

MANIPUR UNIVERSITY
CANCHIPUR: IMPHAL

No.MU/10-4/2021 *18th March 2025*

"MANIPUR UNIVERSITY"
MODEL CADRE RECRUITMENT RULES
NON-TEACHING AND OTHER ACADEMIC POSTS 2025

*The Executive Council of the "**Manipur University**", in exercise of the powers conferred under Section **30** of the University Act, Statutes of Second Schedule to the "**Manipur University Act 2005**", in supersession of all existing recruitment rules, relevant Ordinances/University regulations of the Executive Council in this regard, hereby frames the following rules for regulating the recruitment to the Non-Teaching and Other Academic Posts in the University under Ordinance **No.D-14**(No. of Ordinance) vide Resolution No.*

14/40/30.12.2024 of the Executive Council meeting held on 30.12.2024.

(Prof. Th. Binoy Singh)
Registrar i/c

DISCUSSION ON PLEA OF MAINTAINABILITY:

[36] From the above, it is clear that under Section 9(1) of Manipur University Act, 2005, Hon'ble President of India shall be the 'Visitor' of the University. Section 23 of the Act stipulates that the 'Executive Council' shall be the 'Principal Executive Body' of the University and the powers and functions of the same are prescribed by the Statute. In terms of Section 30, the 'first Statute' is set out in the Schedule to the Act and the Executive Council may from time to time make new or additional Statute/(s) or amend or repeal the existing Statute. Under Section 30(3), every new Statute or addition to the Statute or any amendment or repeal of a Statute shall require assent of the Visitor who may assent thereto or withhold assent or remit to the Executive Council for re-consideration. Section 30(4) prescribes for a new Statute or a new Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Visitor. Section 31 of the Act prescribes rule making power to make Ordinance, especially sub-clause 'p' of Section 31(1) provides that Statute may be made for a matter by this Act or Statute or Ordinance provide for by the Ordinance. Section 46(1) of the MU Act stipulates that every Statute or Ordinance or Regulation made under this Act shall be published in the official gazette and as such shall be laid before each House of Parliament for consideration. Statute 41(2) provides that no Ordinance shall be amended by the Executive Council unless a draft by such Ordinance was approved by the Academic Council. Sub-section 5 provides that every Ordinance made by the Executive Council shall come to be effective immediately. On joint reading of Sub-clause 6, 7 & 8 of Statute 41, it is clear that new Ordinance made by the Executive

Council shall be subject to approval by the Visitor and decision of the Visitor shall be final.

[37] From a mere perusal of: (i) the letter dated 27.09.2022 (Annexure-A/6 of the writ petition) of the UGC told Registrar of all Central Universities; (ii) the letter dated 01.01.2022 from the Registrar of Manipur Universities to the Secretary of the Ministry of Education, Government of India; (iii) the letter dated 25.05.20223 from the Ministry of Education, Government of India to the Registrar of Manipur University as reproduced supra, it is clear that any new amendment, repeal or new Ordinance shall require assent of the Visitor of University, i.e., Hon'ble President of India and the same is also in tune with the provisions of Section 30(3) of the Act and Statute 41(4), (6), (7) & (8) of the Act. In terms of Section 31(1)p of the Act, the Executive Council has the power to make any Ordinance for any matter provided under this Act. Cadre Recruitment Rules is framed under Ordinance D-14 of Manipur University and the same requires due approval the assent of Visitor as well as publication after obtaining assent.

[38] It is submitted, during the course of hearing, that modified CRRs for non-teaching and other academic posts 2025 was approved by resolution 14/40/30.12.2024 of the Executive Council held on 30.12.2024 under Ordinance D-14 and the same was found uploaded in SAMARTH Portal on 14.10.2025 at 10:29:29 Hrs. This was also published vide notification dated 18.03.2025 by the Registrar i/c, Manipur University. It has been clarified that in the notification dated 18.03.2025 instead of year 2022, it was wrongly printed as 2025 and instead of Section 31(1)p, it was wrongly printed as Section 30 of the Act. It is the case of Manipur University that the CRRs 2022 was duly notified by the University on 18.03.2025 and the same satisfied the provisions of MU Act, 2005 and the requirement of Statute; and printing mistake in notification dated

18.03.2025 as CRRs 2025 in place of 2022 and mentioning Section 30 in place of Section 31(1)p of the Act, does not invalidate the publication of CRRs 2022 as such mistakes are curable.

[39] The first ground of maintainability is that since CRRs 2024 does not exist in the portal, it is specific case of Manipur University that the adoption of CRRs in 36th Meeting held on 06.10.2022 and 40th Meeting held on 30.12.2024 of the Executive Council, is CRRs 2022 and modified CRRs 2022 only. Modified CRRs 2022 has been uploaded in the SAMARTH Portal maintained by the Ministry. As such, it is the case of Manipur University that CRRs 2024 does not exist in the portal and hence the writ petition based solely on CRRs 2024 automatically collapses like a pack of cards. The second ground is non-maintainability of the writ petition, as the petitioner No. 1 having applied, appeared and unsuccessful, cannot challenge the ongoing recruitment process before its conclusion in absence of any patent illegality in the advertisement; and it is pointed out that petitioner No. 2 who applied and did not appear in the recruitment, is not an aggrieved person and does not have any locus to challenge the examination as well as CRRs. Another ground is the non-disclosure of complete facts including the manner in which the petitioners have got CRRs 2024 when the same does not exist in the file of Manipur University and also in the SAMARTH Portal. Another ground is that the petitioners are proxy on behalf of the others and they are the proxy are sponsored parties to sabotage the recruitment process.

[40] Mr. Kh. Tarunkumar, learned senior counsel and Mr. BP. Sahu, learned senior counsel for Manipur University and Mr. A. Mohendro, learned counsel for some of the intervenors, have highlighted that the writ petition is not maintainable in the present form. Whereas, Mr. HS. Paonam, learned senor counsel for some of the intervenors, submits that assuming for the sake of argument the writ petition to be

maintainable, it is not entertainable in the present form for the simple reason that nothing is alleged against CRRs, no malpractice against Manipur University nor against the successful candidates, have been alleged in the writ petition and the writ petition is also based on disputed question of facts of existence or non-existence of CRRs 2024.

[41] The plea of Mr. K. Kishan Singh, learned counsel for the petitioners, is that they got a copy of CRRs 2024 from a reliable source of Manipur University and the same is not disclosed in the writ petition for the protection of the right and safety of the person concerned. It is his plea that CRRs 2024 might have been deleted from the SAMARTH Portal by Manipur University or any person acting on its behalf in order to frustrate the cause of the present writ petition. The very fact is that whether CRRs 2024 has been deleted from the SAMARTH Portal or not, can be verified only through examination of expert in this regard and the cause of the writ petition still survives. It is also urged that in all the proceedings of the Executive Council, especially 36th and 40th Meetings of the Executive Council held on 06.10.2022 and 30.12.2024, the adoption was only of CRRs and it does not mention the year, i.e., CRRs 2022. The advertisement No. 2/2025 dated 13.05.2025 does not mention a whisper about that the same is issued in terms of CRRs 2022 or modified CRRs 2022, as alleged for the first time in the counter affidavit of Manipur University and the same is hit by the principle of **Mohinder Singh Gill** (supra).

[42] Mr. K. Kishan Singh, learned counsel for the petitioners, further urged that even if assuming the advertisement has been issued in terms of CRRs 2022 or modified CRRs 2022 as alleged in the counter affidavit of Manipur University, it is admitted by learned senior counsel appearing for Manipur University, in the course of hearing, that CRRs 2022 and/or modified CRRs 2022 are yet to receive assent of the Visitor

(i.e. Hon'ble President of India). It is the specific case of Manipur University that assent of the Visitor is not required and the Ordinance including Ordinance D-14 adopting modified CRRs 2022 shall come into effect immediately in terms of Statute 41(5) of Manipur University Act, 2005. Learned counsel for the petitioners has pointed out that in the counter affidavit, it is nowhere stated by Manipur University that CRRs 2022 or modified CRRs 2022 has got assent from the Visitor in terms of the provisions of Manipur University Act and applicable Statute. Learned counsel submits that even if the advertisement No. 2/2025 dated 13.05.2025 is considered to be issued under modified CRRs 2022 (assuming for the sake of argument but not admitting), the advertisement is void ab initio for the same reason that CRRs 2022 and/or modified CRRs 2022 are yet to receive assent of the Visitor as required under Section 30(3) & (4) of the MU Act. Mr. K. Kishan, learned counsel for the petitioners, submits that the cause of the writ petition still survives as CRRs 2022 is yet to receive assent of the Visitor and any act including recruitment under Advertisement No. 2/2025 dated 13.05.2025 will be void ab initio, as the same has been proceeded with on the basis of CRRs which is not effective till date.

[43] This Court first decides the question of maintainability or entertainability of the writ petition in the present form.

REASONING:

[44] The petitioner No. 1 applied for Peon/Multi-Tasking Staff appeared and is unsuccessful in the recruitment of MTS as per the advertisement No. 2/2025 dated 13.05.2025 issued by Manipur University and petitioner No. 2 applied for the post of Junior Assistant, but did not appear as he has an apprehension that advertisement will be set aside for the reason that CRRs 2024 has not been given assent by the Visitor. Perhaps petitioner No. 1 challenged the advertisement No. 2/2025 dated

13.05.2025 mainly on the ground that even if he is successful in the recruitment, his appointment is likely to be challenged by any other person only on the ground that CRRs 2024 has not been given assent by the Visitor. As such, the whole process is void ab initio being based on the basis of CRRs which is yet to be assented by the Visitor in terms of applicable provisions of Manipur University, especially Section 30(3) & (4) and Statute 41(6), (7) & (8). On the other hand, petitioner No. 2 did not appear in the examination, as the same would likely to be cancelled being issued under CRRs 2024 which is yet to be given assent by the Visitor. The main ground for challenge by both the petitioner Nos. 1 & 2 is same, i.e. advertisement is based on CRRs 2024 which is yet to be given assent by the Visitor as mandated under the Act and Statute.

[45] The case of **Prestige Lights Ltd.** (supra) has been relied heavily by Mr. Kh. Tarunkumar, learned senior counsel for Manipur University, to support the point that writ petition is not maintainable for concealment of material facts and not coming to the Court with clean hand, such as source of CRRs 2024 has not been disclosed by the petitioners, petitioner Nos. 1 & 2 have conflicting interest and so on. The fact of the case of **Prestige Lights Ltd.** (supra) is that the High Court held that writ petition was not maintainable for concealment of material facts; the Hon'ble Supreme Court granted interim stay to the appellant/borrower against the respondent bank subject to deposit of a sum of Rs. 20,00,000/- (Rupees Twenty Lakhs) per month failing which the interim stay would be vacated. After enjoying the benefit of the interim order for a long period of time, the appellant never deposited the sum of Rs. 20,00,000/- (Rupees Twenty Lakhs) per month as directed by the Hon'ble Supreme Court and the same amounted to contempt. It was observed by the Hon'ble Apex Court that the appellant would not be entitled to be heard on merit, until he has been purged for the contempt. The appellant has subsequently created third party interest in the property mortgaged

to the bank as collateral security for the loan taken from the bank without informing the bank. On consideration concealment of facts, material alteration of the terms of loan and also non-compliance of the direction of deposit/payment of Rs. 20,00,000/- (Rupees Twenty Lakhs) per month for interim stay of recovery, the Hon'ble Apex Court held that writ petition based on suppression of material facts or twisted facts, may be refused to be entertained. The Writ Court may refuse to entertain such petition in exercise of the power under Article 226 of the Constitution. It has been observed in para 33 & 35 of ***Prestige Lights Ltd. vs. State Bank of India: (2007) 8 SCC 449*** that the very basis of the writ jurisdiction rests in the disclosure of true, complete and correct facts. It has been held that the writ petition as well as special leave petition is not entertainable.

[46] This Court is of the opinion that the ratio in the case of **Prestige Lights Ltd.** (supra) is that writ petition may not be entertainable, if the parties come to the Court with unclean hands, on the basis of suppressed and distorted facts and the ratio is not on the maintainability of the writ petition. In this judgment, the Hon'ble Apex Court cautioned the Writ Court to examine the bonafide and conduct of the parties in invoking the writ jurisdiction under Article 226 of the Constitution. In the present case the petitioners clearly states that copy of CRRs 2024 has been obtained from the official of Manipur University and the foundation of the writ petition is based on the only fact that the CRRs 2024 has not been assented by the Visitor of the University (i.e. Hon'ble President of India) as mandated under Section 30 (3) & (4) of the MU Act, 2005. The advertisement No. 2/2025 dated 13.05.2026 does not mention CRRs 2022 or CRRs 2024. It is mentioned for the first time in the counter affidavit of Manipur University that the advertisement has been issued under CRRs 2022. The plea of non-existence of CRRs 2024 is obviously apparent to this Court only on 26.05.2026 when this Court has the benefit of perusing the SAMARTH Portal; and only corrected CRRs 2022 is found

uploaded by Manipur University; and CRRs 2024 has not been uploaded in the portal. It is altogether a different matter to be adjudicated in appropriate proceeding that CRRs 2024 has been subsequently deleted after filing of the writ petition (as alleged by Mr. K. Kishan Singh, learned counsel for the petitioners) to frustrate the cause of the writ petition. In the circumstances, it is held that the writ petition is maintainable in the present form.

[47] With respect to the plea of 'non-entertainability' of the writ petition, this Court is of the view that petitioner No. 1 challenged the advertisement No. 2/2025 dated 13.05.2026 as a matter of principle of abundant caution. Even if he is selected in the examination, his appointment is likely to be challenged by any other person on the same plea that CRRs 2024 has not been given assent by the Visitor; and any recruitment done in pursuance of the same would be a nullity and void ab initio. For that purpose, petitioner No. 1 has challenged the recruitment as well as CRRs 2024. So is the same reason for petitioner No. 2 that he did not appear the examination as he has apprehension that the same may be cancelled, as the CRRs 2024 has not been assented by the Visitor. However, this Court finds some points of conflicting interest between petitioner Nos. 1 & 2. Considering the nature of challenge, the stage of examination, interest of all parties and stakeholders, this Court recorded in the proceeding dated 26.05.2026 recorded submission of learned senior counsel appearing for Manipur University to get instruction regarding appointment of petitioner No. 1 against one post of Peon/MTS by creating supernumerary post or against existing vacancy arising out of superannuation after commencement of examination. This Court has considered the right of the parties, i.e. petitioners herein as well as successful candidates who are allowed to appear as intervenors by this Court.

[48] If a positive response is obtained from Manipur University, this Court has considered giving a closure to the writ petition leaving the questions of law involved for adjudicating in any other recruitment, other than advertisement No. 5/2025 dated 13.05.2025. It was made clear that the offer of appointment was confined to petitioner No. 1 alone, as petitioner No. 2 did not appear in the examination and the matter was fixed for further proceeding on 01.06.2026. When the matter was taken up on 01.06.2026, learned senior counsel for Manipur University informed this Court that the earlier proposal from Manipur University recorded vide order dated 26.05.2026 about offering one post of Peon/MTS to petitioner No. 1 would not be possible to be implemented, as petitioner No. 2 filed an RTI application on 29.09.2025 making six queries including the power of Manipur University to create supernumerary post for appointment to a person after result has been declared; and nine unsuccessful candidates also submitted representations for considering their appointment in terms of the undertaking made by Manipur University before this Court. In the proceeding dated 01.06.2026, Manipur University sought for a short time for placing on record RTI application and representation submitted by unsuccessful candidates and subsequently the same was filed and brought on record. In the circumstances, this Court observed that the proposal for closure of the writ petition on appointment of petitioner No. 1 against the post of Peon/MTS leaving the issues raised herein to be agitated in the subsequent advertisement has been dropped and writ petition would be heard out of merit. It is alleged, during the course of hearing, by learned senior counsel for Manipur University as well as learned senior counsel and counsel for the intervenors that the wife of the petitioner No. 2 also appeared in the examination and was unsuccessful. This fact was also concealed in the writ petition and Mr. K. Kishan Singh, learned counsel for the petitioners, submits that he has no instruction regarding unsuccessful participation by wife of petitioner No. 2 in the

examination and petitioner No. 2 who has been consistently appearing before this Court either in physical or on VC did not try to controvert this allegation. Concealment of participation of the wife of petitioner No. 2 in the recruitment examination, the conduct of petitioner No. 2 of filing subsequent RTI application on 29.05.2026 after recording the undertaking of Manipur University in the proceeding dated 25.06.2026 for considering appointment of petitioner No. 1 against the post of Peon/MTS, thereby preventing the possibility of appointment of petitioner No. 1 as Peon/MTS etc. are to be considered by this Court to test his bonafide. This Court is of the view that the conduct of petitioner No. 2 is not above board and he does not deserve any sympathetic consideration from this Court in exercise of extraordinary and equitable jurisdiction as a Writ Court. Accordingly, writ petition is maintainable and entertainable qua petitioner No. 1 and the writ petition is not entertainable qua petitioner No. 2.

[49] It may be reiterated at the cost of repetition that the very foundation of the present writ petition is based on CRRs 2024; the same being not given assent by the Visitor of the University in terms of mandate of Section 30 (3) & (4) and Statute 41 of Manipur University Act, 2005. However, when the SAMARTH Portal was opened before this Court, CRRs 2024 has not been uploaded and what is found is modified CRRs 2024 as adopted by the 40th Meeting of the Executive Council of Manipur University held on 30.12.2024 as Ordinance D-14. It is also admitted by both the parties that CRRs 2022 and/or modified CRRs 2022 is yet to get assent from the Visitor. Since CRRs 2024 is not in existence officially, this Court is not inclined to entertain the writ petition to examine the legality of CRRs 2024. This Court is of the view that CRRs 2022 and/or modified CRRs 2022 being not given assent by the Visitor, is a matter to be decided in appropriate proceeding for the reason that CRRs 2022 and/or modified CRRs 2022 is not subject matter of the present writ petition. In the

circumstances, we close the present writ petition leaving the issue involved in the present case qua CRRs 2022 and/or modified CRRs 2022 to be adjudicated in appropriate proceeding.

[50] Accordingly, writ petition is disposed of. Interim order dated 25.02.2026 staying the issue of appointment orders to the candidates who have declared successful or to any other person in terms of advertisement No. 2/2025 dated 13.05.2025 and extending from time to time, stands vacated. Before conclusion, we request Manipur University to consider the case of petitioner No. 1 for being considered against one vacant post of Peon/MTS as mentioned at serial No. 12 of the advertisement No. 2/20225 dated 13.05.2025, as possibility of his appointment as proposed by Manipur University in the proceeding dated 26.05.2026, has unfortunately been thwarted by his co-petitioner, i.e., petitioner No. 2 and nine other unsuccessful candidates. Parties to bear their own cost.

CONCLUSION & DECISION:

[60] In view of the above conclusions and decisions, we hold and observe as follows:

(i) the writ petition is maintainable in the present form qua petitioner Nos. 1 & 2.

(ii) the writ petition is both maintainable and entertainable at the instance of petitioner No. 1. However, the same is not entertainable qua petitioner No. 2.

(iii) the writ petition is disposed of and interim order dated 25.02.2025 in MC(WP(C)) No. 152 of 2026 restraining an issuance of appointment order to the successful candidates stands vacated. Manipur University may consider the case of the petitioner No. 1 for

appointment against any vacant post of Peon/MTS as mentioned at serial No. 12 of the advertisement No. 2/2025 dated 13.05.2025 as he has been deprived of the benefit of offer of Manipur University recorded in the proceeding dated 26.05.2026 at the instance of petitioner No. 2 and nine unsuccessful candidates. The issue raised in the present writ petition is kept open for adjudicating in appropriate proceeding.

JUDGE **CHIEF JUSTICE**

FR/NFR

Kh. Joshua Maring

KH. JOSHUA MARING

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